

Supreme Court of the United States

HARRY J. WILSON, PETITIONER.

I. F. WILSON, AS SPECIAL DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE.

ON WRIT OF HABEAS CORPUS IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE FIRST CIRCUIT.

WRITING: THE SUPREME COURT FILED DECEMBER 21, 1941.

CERTIFICATE GRANTED JANUARY 22, 1942.

No. 10450

United States
Circuit Court of Appeals

For the Ninth Circuit.

HARRY BRIDGES,

Appellant,

vs.

L. F. WIXON, as District Director, Immigration
and Naturalization Service, Department of
Justice,

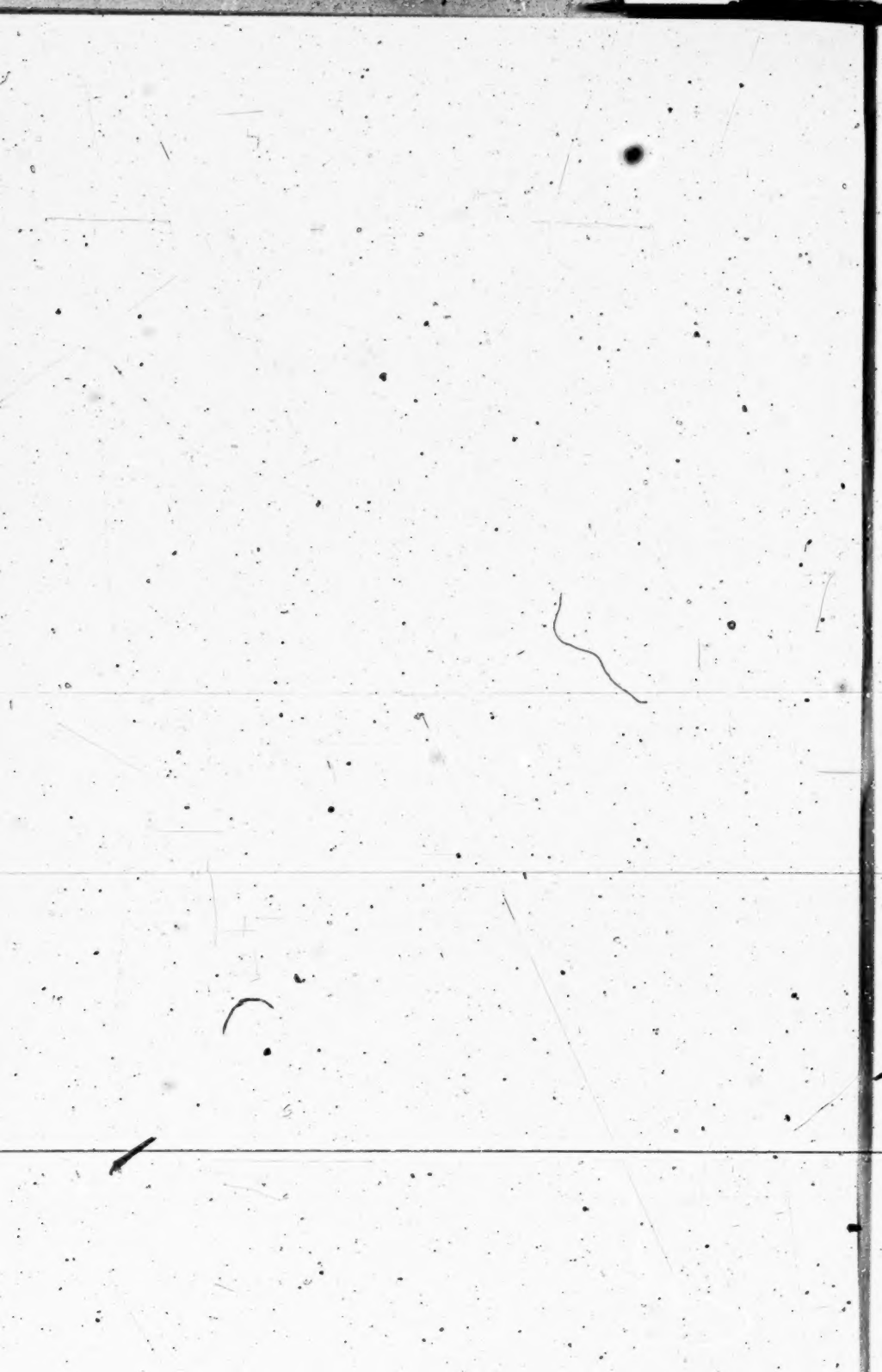
Appellee.

Transcript of Record

VOLUME IV

Pages 1421 to 1915

Upon Appeal from the District Court of the United States
for the Northern District of California,
Northern Division



HOWARD RUSHMORE

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio:

Q. What is your name?

A. Howard Rushmore—R-u-s-h-m-o-r-e.

Q. Where do you live?

A. 75 Thayer Street, New York City.

Q. What is your occupation?

A. I am a reporter.

Q. Mr. Rushmore, have you ever been a member of the Communist Party? A. I was.

Q. When did you join the Communist Party?

A. Approximately the fall of 1934.

Q. And where?

A. In St. Louis, Missouri.

Q. And what was the name of the Communist Party at that time?

A. The name was the Communist Party of the United States.

Q. And how long did you remain a member of the Communist Party?

A. Until December 19, 1939.

Q. Now, while you were a member of the Communist Party did you hold any positions within the Party? [714]

A. Yes; I held a number of positions.

Q. What was your first position?

A. My first position was Managing Editor of

(Testimony of Howard Rushmore.)

the Young Worker which is the official organ of the Young Communist League at that time.

Q. For how long a period did you hold that position? A. About one year.

Q. Where was that?

A. In New York City; 35 East 12th Street.

Q. Just prior to your joining the Communist Party what was your occupation?

A. I was engaged in newspaper work in my home town, which was Mexico, Missouri.

Q. Why did you join the Communist Party?

A. Because at that time I thought their program was substantially one that was appropriate for Americans who had ideals of liberty and democracy. At that time I was about 21 years of age and about the age when youth is rather idealistic, and from the Communist literature that I saw, and the other propaganda that I received, I thought there was an answer to what I had been seeking in the form of a democracy that was perhaps extended further than our own.

Q. Were you born in this country?

A. Yes. I was born in Mitchell, South Dakota.

Q. Now, what other positions did you hold in the Communist [715] Party?

A. For a period, the summer of 1936, I was the North and South Dakota Organizer of the Young Communist League.

Q. The Young Communist League—now, is that affiliated with the Communist Party?

(Testimony of Howard Rushmore.)

A. Well, the best way to describe the Young Communist League, I think, would be to say it is a junior section of the Communist Party, molded very closely along the lines of the parent organization.

Q. Does it have the same aims, purposes and objectives as the Communist Party?

A. Yes; the same aims.

Q. Is it controlled by the Communist International, the same as the Communist Party of the United States is?

Mr. Gladstein: All of the last three questions have been leading and suggestive. May we ask for a ruling asking counsel on direct examination not to lead the witness?

Mr. Del Guercio: This is a matter that is already in evidence, your Honor. It is for the purpose of expediting the examination of this witness.

Presiding Inspector: Do not lead any more than you can help. If it is just repetition, something already in the record, of course the Examiner will take that into consideration. But be careful about it.

By Mr. Del Guercio:

Q. By whom is the Young Communist League controlled? [716]

A. Properly it is controlled by the Young Communist International, which has its headquarters in Moscow.

Q. And who, in turn, if anyone, controls the Young Communist International?

(Testimony of Howard Rushmore.)

A. Well, that naturally is controlled by the Communist Party, the Communist International.

Q. Did you hold any other positions while you were a member of the Communist Party?

A. Yes. During the summer of 1936, when I was out in the Dakotas, and throughout the Great Plains, I edited a special farm page of the Daily Worker.

Q. And for how long a period?

A. That extended up until around March, 1937.

Q. You say you "edited"—what do you mean by that?

A. Well, I gathered the news of the Great Plains, as far as the farmers went, the various farm programs the Party was carrying out, and by and large any news pertaining to farm activities; and this news, stuff, I would send to the Daily Worker in time for their national edition which was sent throughout the country. They had a special page they called the farm page. Most of the stuff was compiled by myself.

Q. I see. For how long a period of time did you do that work?

A. Well, during the late summer of 1936 and until March 1937. I believe it was discontinued approximately March 1937. [717]

Q. What other positions did you hold?

A. For a brief period of time, in connection with my newspaper work there in the Great Plains, I was Organizational Secretary of the Communist Party of Iowa.

(Testimony of Howard Rushmore.)

Q. Any other positions?

A. Yes. Then I returned to New York and joined the staff of the Daily Worker; and on the Daily Worker, I alternately served as feature editor, general assignment man, ships' news, assistant editor and managing editor of the magazine section of the Sunday Worker.

Q. How do you become a member of the staff of the Daily Worker?

A. There is one obligation which, I think, is held pretty firm, at least throughout the time I had anything to do with the Communists, and that is you have to be a member of the Party to become a member of the Daily Worker Staff.

Q. You mean a member of the Communist Party?

A. A member of the Communist Party, yes.

Q. And you were a member of the staff for how long a period?

A. Well, that was from about May 1937 until December 1939.

Q. I believe you have already testified concerning the Sunday Worker, that you edited that paper?

A. No. It was the magazine section, a supplement sent out to the other Communist papers, the People's Daily World, the [718] Chicago Midwest Daily Record, and it was included in the New York Sunday Worker. It was a 12-page magazine section of which I was the managing editor.

Q. Was this also inserted in the Daily Worker?

(Testimony of Howard Rushmore.)

A. Yes. The Sunday Worker, to be exact, was the title of it.

Q. You say you contributed articles to all of these papers mentioned by you?

A. Yes; I had a number of articles.

Q. Were you required to submit your articles to anyone before they were published?

A. Yes. The Daily Worker has an editorial board of—it varies from four to six or seven members—and all copy, features, news, everything else, has to be submitted to one member of the editorial board before it is O.K.'d and put in the paper.

Q. While you were on the staff of the Daily Worker did you ever have any staff meetings?

A. We had frequent staff meetings; approximately once a week, I would say.

Q. And what was discussed at these staff meetings?

A. Various matters pertaining to the changes in party policy, or what lines to follow on particular things affecting the news. The meetings were held more frequently, I would say the last year I was there in 1939 when there were rapid changes in the Party line, and the editorial board called [719] in often a special member from the Political Bureau of the Communist Party to give us the proper line on these events, because often we were rather confused as to how to keep abreast of the Line and the news at the same time.

Q. How many times would a representative from

(Testimony of Howard Rushmore.)

the Political Bureau appear at these staff meetings?

A. Well, that varied. Sometimes there would be a member of the Political Bureau and sometimes not, present. It might be a specialist in other affairs pertaining to the Daily Worker.

Q. Who was the Business Manager of the Daily Worker while you were a member of the staff?

A. The first Business Manager I ever knew there was David Leeds—L-e-e-d-s. [720]

Q. David Leeds. And was he also a member of the Communist Party?

A. Yes, sir.

Q. You know that of your own knowledge?

A. I do.

Q. Does he have any other name?

A. He has another name; I have heard it. I don't remember—it is Amerilgo, or something like that. I don't know how it is spelled; I don't know how to pronounce it.

Q. Do you know if David Leeds is his correct name?

A. I was told even while on the Worker that this other name was his real name, but I paid little attention to that because most of the people around there used assumed names. It was nothing new to—

Q. (Interposing): Did he ever have a position with the Communist Party?

A. Yes. I knew at one time he was Financial Secretary of the New York Communist Party.

Q. Now, during any time that you were a mem-

(Testimony of Howard Rushmore.)

ber of the Communist Party did you ever have occasion to interview the Alien here, Mr. Bridges?

A. Yes, in the summer of 1935.

Q. And what was your position in the Communist Party at that time?

A. Well, that was shortly after I came to New York from [721] Missouri and I was Managing Editor of The Young Worker at that time.

Q. And The Young Worker, that is the official organ of the Young Communist League?

A. It was, yes.

Q. And do you see the Alien here in this court room?

A. Yes, I remember Mr. Bridges.

Q. Do you recognize him?

A. Yes, sir.

Q. Where is he?

A. He is sitting at the end of this table, the counsel table, at the end to my left.

Mr. Del Guercio: May the record show that the witness has identified him?

Presiding Inspector: Certainly.

By Mr. Del Guercio:

Q. Where did this interview take place?

A. I believe the name of the place was the Manhattan Opera House, something like that. I forget the exact—there are so many of those meeting halls in New York and I covered a number of meetings. I believe it was the Manhattan Opera House.

Q. And did you interview anyone else about the same time?

(Testimony of Howard Rushmore.)

A. Yes, I was assigned to interview these people in the Youth Congress, which was coming very rapidly to the fore then [722] in the Young Communist League's program, and I talked to Mr. Bridges and a Mr. Louis Weinstock.

Q. Who was Louis Weinstock?

A. Louis Weinstock I knew to be even at that time a member of the Central Committee of the Communist Party, and is now one of the officials of District Council Nine of the Painters Union, New York City.

Q. Who instructed you to interview Mr. Bridges and Mr. Weinstock?

A. The Editor of The Young Worker, whose name was Joseph Cohen, C-o-h-e-n.

Q. And did you write the result of your interview with Mr. Bridges and Mr. Weinstock?

A. I did.

Q. And did it appear in The Young Worker?

A. It did.

Q. Well, what was this Youth Congress movement, Mr. Rushmore?

A. That was one of the most important of the front organizations which was started by the Young Communist League and the Communist Party in '35, when they adopted their Trojan Horse policy. However, to be correct, the Youth Congress, as such, came into being before that time. About in 1934 or '33—I don't know the exact date on that—I was not in New York then—there was some sort of a Youth Convention called there [723] at

(Testimony of Howard Rushmore.)

New York University and there was quite a split in the organization over policy and the Young Communist League took over the largest wing of this youth movement and called it the Youth Congress, and it really came to the forefront and to its rather wide scope in 1935.

Q. And you say it was completely dominated and controlled by the Communist Party?

A. I would say that from my experience, yes.

Q. And what was the purpose of the Youth Congress?

A. The proper claimed purpose was to give jobs to unemployed youth, to fight race discrimination, and to preserve democracy, peace and freedom. The actual aims, of course, were the aims of the Young Communist League.

Q. And what was that?

A. The similar aim to that of the Communist Party, an ultimate revolutionary overthrow of the capitalist order and establishment of proletarian dictatorship.

Q. And you were instructed, you say, to interview the Alien here concerning the Youth Congress?

A. To interview who?

Q. The Alien here?

A. Yes. I was told to interview Mr. Bridges by Mr. Cohen, my editor.

Q. Also Mr. Weinstock?

A. That is correct. [724]

Q. Who, you say, is a member of the Politbureau?

A. No, of the Central Committee.

(Testimony of Howard Rushmore.)

Q. Of the Central Committee.

A. He might have been a member of the Political Bureau; I don't know about that.

Q. I will show you what purports to be here a photostatic copy of the New York, Tuesday, July 23, 1935, page three, on which appears an article "Bridges and Weinstock Praise Youth Congress" by Howard Rushmore, and ask you if you can identify that?

A. (Examining document): Yes, that is a photostat of The Young Worker.

Q. Now, was that a correct transcription of your article on Bridges and Weinstock Praise Youth Congress?

A. It is.

Q. Now, there appears on this photostatic copy the following "The Young Worker, Official Organ of the National Executive Committee, Young Communist League, 35 East 12th Street, New York City." Is that correct? I believe you have testified that The Young Worker was the official organ of the Young Communist League?

A. Yes, sir.

Q. And is that a photograph of Harry Bridges?

A. Could I see that a little closer, please?

Q. (Handing document to witness.) [725]

A. Yes, that is.

Mr. Gladstein: If your Honor please, while we are waiting, are we to understand that it is the theory of Mr. Del Guercio that it is material to the issues of this case that Mr. Bridges permitted himself to be interviewed by a reporter, or is it his

(Testimony of Howard Rushmore.)

contention that there is something that Mr. Bridges said in that interview which is material? If the latter is the case, we are waiting for him to reach the actual statements that Mr. Bridges made.

Mr. Del Guercio: My theory, if I may reply to counsel, is that Harry Bridges, throughout the period of time from about 1932 to the present time, has been a member of and affiliated with the Communist Party, and that his conduct throughout this period of time has been such as to lead anyone to believe that he was a member of the Communist Party.

Mr. Gladstein: Well, I renew the question. I am simply wondering whether counsel intends—

Presiding Inspector (Interposing): I don't suppose he has to answer it unless he wishes to.

Mr. Gladstein: Let us have this understanding, if your Honor please: I do not see Mr. Del Guercio marking for identification a document which has been shown the witness.

Mr. Del Guercio: I will offer it in evidence, if that will relieve you.

Mr. Gladstein: All right.

Presiding Inspector: Doesn't it seem to be wise to ask [726] him whether this is a true account of what Mr. Bridges said?

Mr. Del Guercio: I believe I did ask the witness.

Presiding Inspector: I didn't hear it.

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. If I haven't, is this a true account of what Mr. Bridges said at that time?

A. It is, your Honor.

Presiding Inspector: I will receive it.

Mr. Del Guercio: I will offer it in evidence at this time and ask it be marked.

Presiding Inspector: I will receive it.

(The document referred to was received in evidence and marked Government's Exhibit No. 134.)

By Mr. Del Guercio:

Q. Now, Mr. Rushmore, I note from this article that Mr. Bridges made mention of the National Students League. Are you familiar with that?

A. Yes. The National Students League was, I think, the first—as far as I know is the first outright Communist organization of the Students College and High School Students.

Q. And what kind of an organization was it?

A. Well, it was patterned along the lines of the Young Communist League, only it was to be set up in its various units in the colleges and schools wherever it could be established.

Q. Well, was it also a Communist organization?

[727]

A. To the best of my knowledge it was.

Mr. Del Guercio: May I read from this article, if the Court please?

Presiding Inspector: Yes.

(Testimony of Howard Rushmore.)

Mr. Del Guercio: As to what Bridges said about the National Students League at that time.

Presiding Inspector: Yes.

Mr. Gladstein: May I suggest that the whole thing be read if there is going to be any part of it read, your Honor?

Mr. Del Guercio: Yes, I will be glad to read the whole part of it.

"Bridges and Weinstock Praise Youth Congress.

" 'I think the American Youth Congress is a splendid thing,' Harry Bridges said. Tired from days of speech-making and endless meetings with rank and file longshoremen, the West Coast leader nevertheless grew immediately enthusiastic when I asked him for his opinion on the Congress.

" 'An important step forward in the youth movement,' the San Francisco strike leader said. 'Perhaps one of the most important things in many years as far as the youth is concerned.'

" 'In the press conference he was asked about the young longshoremen. 'None of them are very young. They can't join until they are least 21 years old and most of our workers on the West Coast are way over that age.' [728]

" 'During his speech at the Manhattan Opera House Bridges had several times spoken of football teams scabbing during the General Strike. I asked him if he referred to the athletes from the California Universities.

" 'Yeah,' Bridges said, smiling. 'The coaches must have wanted to give their boys a workout.

(Testimony of Howard Rushmore.)

Stanford sent their first and second string football team down for a——’ ”

You needn't snicker there, Mrs. King.

Mrs. King: Would you address the Court, Mr. Del Guercio?

Presiding Inspector: Go ahead; I will run this Court. Now, go ahead and read.

Mr. Del Guercio: “ ‘The coaches must have wanted to give their boys a workout.’ ”

Presiding Inspector: That refers to everyone, of course. We are going to have a proper hearing here. Everyone is going to have their opportunity. Go right ahead.

Mr. Del Guercio: “ ‘Stanford sent their first and second string football team down for a workout. They got it.’ I didn't ask what kind of a workout, but I imagined, from Bridges' words, that the squad probably were more than satisfied.

“ ‘But don't get me wrong on the college students,’ the longshoremen's leader hastened to add. ‘Five members of the National Students League came over to the general Labor council meeting and pledged us that they would help us in any way [729] they could. About the only scabs from the universities were the athletes.’

— “Surrounded by a crowd of longshoremen and workers waiting to shake his hand, Bridges asked to be excused from any more interviewing. ‘I'm pretty tired,’ he grinned.

(Testimony of ~~Howard Rushmore.~~)

“‘A Great Thing’” — Weinstock.

“I also asked Louis Weinstock, militant leader of the Painters’ Union, about the American Youth Congress. Weinstock, who spoke on the same platform with Bridges at the Manhattan Opera House, did not hesitate in beaming approval of the Congress.

“‘I’ve followed it closely and think the youth of the United States certainly are doing a great thing,’ Weinstock said. ‘It’s swell how the A. F. of L. locals sent youth representatives. The broad united front is a real advance in the fight against starvation wages for the youth.’” [730]

By Mr. Del Guercio:

Q. Now, Mr. Rushmore, during any of these staff meetings of *The Daily Worker* was the name of the alien ever brought up?

A. Once or twice, that I remember.

Q. And in what connection?

Mr. Gladstein: Just a moment, if your Honor please. Unless a foundation is laid that the alien is supposed to have been present at any of these occasions about which ~~he is~~ about to be asked it is quite obvious that the questioner is seeking hearsay, and I think we may as well have an understanding on this whole question of hearsay; because how would it be possible for us to defend against the kinds of double and triple hearsay which counsel could request? How would it be possible for us to check on the veracity of the statements of any witness if, in the absence of Mr.

(Testimony of Howard Rushmore.)

Bridges, people talk about him, and testimony is permitted of that hearsay character?

We recognize that to some extent, within the discretion of the Examiner in administrative proceedings, hearsay is admissible, and that the real question is one as to the weight or value of that hearsay, but if we are going to have nothing but hearsay, as we have had from Mr. Chase already, as we are about to have apparently from this witness, let us have an understanding, because we have a lot of hearsay of our own concerning the FBI and others on the other side of this case.

Are we going to open the doors wide to hearsay or are we [731] going to confine ourselves to evidence which is admissible in common law?

I think I recall a public statement made by Major Schofield—I don't know whether the press quoted his accurately—in which he was reported to have said at the time of the argument, the original argument on the postponement, that the hearing, he anticipated, in this case, would not be as long as the last, for one reason because the rules of common law applicable in evidence would govern more strictly in this case than in the last.

I think we should have some understanding on this question of hearsay.

Presiding Inspector: The Examiner won't make any general ruling on this matter, but, of course, you may interpose an objection later when the proceeding is a little more developed.

Go ahead, Mr. Del Guercio.

(Testimony of Howard Rushmore.)

Mr. Del Guercio: What was your answer?

The Witness: Will you repeat the question, please?

(The question was read by the reporter as above recorded.)

A. At one staff meeting—

Mr. Gladstein: (Interposing) Just one moment. May the record reflect our objection to the present question on the ground it calls for hearsay?

Presiding Inspector: Yes.

Mr. Gladstein: Also that we now move to strike the answer [732] to the preceding question to which we did not have an opportunity to object before the answer came.

Presiding Inspector: Yes, you may have it appear that objection was made, or that you made a motion to strike, and that motion I will deny, and the other objection generally may also appear to this whole line of testimony as hearsay.

Mr. Gladstein: That is, the record may now show, so that it will not be necessary for us, your Honor, to repeat these objections; is that correct?

Presiding Inspector: Yes, but if it comes to a crucial question I think you ought to interpose. I am now merely allowing this to sketch the background to see what is to be definitely shown about this matter.

Mr. Gladstein: But are we to understand that in a general sense the record is now to reflect that it may be deemed that we are objecting to this

(Testimony of Howard Rushmore.)

general line of questioning on the ground it is hearsay and it will not be necessary for us to specifically repeat that objection as to each question?

Presiding Inspector: Yes, you are correct, you are correct about that.

Mr. Gladstein: Yes.

Presiding Inspector: That will be satisfactory?

Mr. Gladstein: Yes, thank you.

A. (Continuing) At one staff meeting at which we were addressed by Jack Stachel the name of Mr. Bridges came up briefly. [733] Stachel was a member of the Political Bureau of the Communist Party and assigned by the Bureau and by the Central Committee to have charge of all trade union work of the Party, and occasionally he talked to us when something important was coming up in connection with our work in trade union matters. And on this day—I think it was the latter part of '38—Stachel talked to us and mentioned the West Coast in his discussion. He usually talked for about an hour, dealing with various phases of West Coast labor, and I forget the—some of the leaders he was discussing, but he was putting them in their various classifications, and I remember distinctly he said to us, when he mentioned Bridges he said: "Now, Comrades, we all know where Bridges stands." I remember that statement made by Stachel.

By Mr. Del Guercio:

Q. Now, while you were a member of the staff of The Daily Worker did you have occasion to con-

(Testimony of Howard Rushmore.)

sider the treatment that was to be accorded matters pertaining to Bridges?

A. Well, he was one of a number of trade union leaders who were more or less the national heroes of The Daily Worker and the Communist Party.

Q. How was he considered by the The Daily Worker?

A. Well, I would say that he was——

Mr. Gladstein: I object to that question as being vague and indefinite. Now, I understood The Daily Worker, by [734] the question here, was a newspaper.

Mr. Del Guercio: I didn't say The Daily Worker was a newspaper. I said it was the official organ of the Communist Party.

Mr. Gladstein: I think the question is, how was Mr. Bridges considered by The Daily Worker. Isn't that the question?

Presiding Inspector: That means the staff, of course, of The Daily Worker.

Mr. Gladstein: That is incompetent, irrelevant and immaterial as to how they considered him.

Mr. Del Guercio: If your Honor please——

Presiding Inspector: (Interposing) I don't know exactly what you seek.

Mr. Del Guercio: One of the issues in this case is whether or not the alien here was a member of the Communist Party.

Presiding Inspector: Certainly.

Mr. Del Guercio: Now, there are a number of ways of establishing that. One is, of course, by

(Testimony of Howard Rushmore.)

producing the membership card; if the alien ever had one, and another way, of course, is by showing his conduct for an extended period of time.

Presiding Inspector: Yes, but the impression of these men, as to whether they have regarded him with favor or not, doesn't advance this very much.

Mr. Del Guercio: Well, in this connection here too, that here is an admitted member of the Communist Party during the [735] period of time to which we allege that Bridges, the alien here, was a member. It is the same as being a member of a fraternal organization. Certainly it would go to members of that organization to determine who are members of the—

Presiding Inspector: (Interposing) Yes; I don't say that I will exclude this question but it doesn't advance the argument very far, just to say what they asked him, what their impression was about it.

Mr. Del Guercio: Not impression; what treatment.

Presiding Inspector: Well, what their attitude was toward him. What was the exact phrase?

Mr. Gladstein: How they considered him.

Presiding Inspector: How they considered him.

Mr. Del Guercio: Well, I will withdraw that question and frame this one:—

Presiding Inspector: They might consider him favorably.

By Mr. Del Guercio:

Q. What kind of treatment did The Daily

(Testimony of Howard Rushmore.)

Worker, the official organ of the Communist Party of the United States, give, if any, to the alien here?

Mr. Gladstein: I object, in the first place, on the ground that this is incompetent, irrelevant and immaterial; secondly, I should think it calls not for the best available evidence. I suppose that the best method of determining what kind of treatment—assuming that this is material in this case—was accorded to [736] Mr. Bridges by the staff of The Daily Worker would be to show the sheets, the actual copies of The Daily Worker in which write-ups or interviews concerning Bridges appeared, and not to ask for secondary evidence from this witness.

I make the objection on both of those grounds, your Honor.

Presiding Inspector: If this were a Court I would exclude this question, but in this general investigation where very wide scope is afforded to each side, I think I will receive this particular question and the answer.

By Mr. Del Guercio:

Q. You may answer.

A. During my time on The Daily Worker, and in my various capacities there, I came to know Mr. Bridges as a figure in our news there, as what the newspaper men called a "Sacred cow". That, to translate it, means a person to whom only favorable publicity is given, and favorable display of the particular news involving him, and never a criticism; or, you might say, all around 100 per

(Testimony of Howard Rushmore.)

cent favorable treatment by the members of the staff of the various newspapers.

Q. Was he given such favorable treatment as a "Sacred cow" all during the time that you were a member of the staff of The Daily Worker?

A. He was.

Q. From your interview with Mr. Bridges there in connection with the Young Worker, or the Workers' Congress—excuse me—Youth Congress, and from your experiences there as a [737] member of the staff of The Daily Worker over an extended period of time, and from your other knowledge gained while you were a member of the Communist Party, would you say that the alien here was a member of the Communist Party during that period of time?

Mr. Gladstein: Could we ask that the question be read? I am sorry, but I did not hear it.

(The question referred to was read by the reporter as above recorded.)

Mr. Gladstein: If your Honor please, we certainly do object to a question of this kind which calls for opinion, guess, conclusion, hazard, venture, and which has within the framing of the question several compound, indefinite, assumed portions.

If your Honor will have the question read back you will see what I have reference to.

Presiding Inspector: I have heard it twice.

Mr. Del Guercio: I will strike the question and ask him if, in his opinion, Mr. Bridges was a member of the Communist Party?

Mr. Gladstein: We object to that. That isn't

(Testimony of Howard Rushmore.)

evidence. People aren't supposed to take the stand and give opinions. The witness is supposed to be here to testify under oath. I can get thousands of people to come in here and give opinions on the question. We object to the question because it calls [738] for hazard, guess and opinion, rather than evidence.

Presiding Inspector: I will exclude it.

Mr. Gladstein: Thank you.

Presiding Inspector: But you may show anything else that he knows.

By Mr. Del Guercio:

Q. During the time that you were a member of the Communist Party did you become familiar with the literature published and distributed by the Communist Party?

A. Yes; I saw a great deal of it.

Q. I will show you a book called "From Bryan to Stalin," printed in the U. S. A. by the International Publishers Co., Inc., copyright, 1937, and ask you if that is one of the pieces of literature that you are familiar with?

A. (Examining book) Yes; I have seen that book.

Q. Was this book circulated and distributed by the Communist Party of the U. S. A.

A. Yes. That particular book, "From Bryan to Stalin" was given quite a wide circulation. Foster is the National Chairman of the Communist Party. I remember, in my own experience, we reprinted several chapters of that particular book

(Testimony of Howard Rushmore.)

in the Magazine Section, of which I was the Managing Editor, of the Sunday Worker—Sunday Worker Magazine Section. We did this to give the book the widest possible publicity and to increase sales.

[739]

Mr. Del Guercio: If the Court please, I would like to read from page 260 of this book, as it has to do with the 1934 strike, and we will offer evidence in this case to connect the alien with the 1934 strike.

Presiding Inspector: Who is the book by?

Mr. Del Guercio: This is by Foster.

Presiding Inspector: I think he has been shown to be a member of the Communist Party, or the leader?

Mr. Del Guercio: That is correct.

Mr. Gladstein: There is only one question I would like to ask and that is this: Whether Mr. Del Guercio intends to introduce the volume or just read certain excerpts from the contents?

Mr. Del Guercio: I will introduce the volume.

Mr. Gladstein: All right.

Mr. Del Guercio: I will offer it now in evidence.

Presiding Inspector: Very well. It will be received.

(The book referred to was received in evidence and marked Government's Exhibit No. 135.)

Presiding Inspector: Off the record.

(Remarks outside the record.)

(Testimony of Howard Rushmore.)

Presiding Inspector: Proceed.

Mr. Del Guercio: Reading from this book:

"But it was in the big Pacific Coast Marine and San Francisco general strike that the C. P."—

[740]

That is the Communist Party?

A. That is the usual abbreviation, C.P., for the Communist Party.

Mr. Del Guercio: (Continuing reading) —"and T. U. U. L."—

What does that stand for?

A. Trade Union Unity League.

Mr. Del Guercio: (Continuing reading) —"did their most important strike work in this period. In fact, in this struggle their influence was decisive. It so happened that I was in San Francisco during the general strike although too sick to take an active part in it. It was the greatest torture for me to be in the midst of such a glorious struggle and yet to be unable to help.

"Here I have space for no more than a bare outline of this historic fight. In 1932, on the then largely-unorganized San Francisco waterfront, the C. P. and T. U. U. L. carried on their work intensively along two main lines: the seamen were organized into the T. U. U. L. Marine Workers Industrial Union and the longshoremen into the A. F. of L. International Longshoremen's Association. Following out this policy, there was in 1933 a strong M. W. I. U. organization built up along the Pacific Coast and, together with other militant workers, the T. U. U. L. forces succeeded in or-

(Testimony of Howard Rushmore.)

ganizing a large I. L. A. local union among the disorganized Frisco dock workers. The [741] leader of the longshoremen was Harry Bridges and the head of the local M. W. I. U., Harry Jackson; both left wing militants. The Secretary of the California district of the Communist Party was Sam Darcy.

"The strike movement began among the longshoremen early in the spring of 1934. The San Francisco local had taken the lead in lining up the weak I. L. A. Coast locals to present demands to the employers. The employers, aided by corrupt I. L. A. top leaders, tried the usual schemes of delay, conciliation and arbitration to break up the rapidly developing militant movement. Rejecting these maneuvers, the I. L. A. locals declared a strike on May 9th and had the whole Pacific Coast tied up within two days. Harry Bridges was elected Chairman of the I. L. A. strike committee, and the Western Worker, local Communist organ, was endorsed as the official strike journal.

"The open-shop employers were determined at all costs to defeat the militantly-led longshoremen, the heart of whose demands was the right to organize. This aroused the fighting spirit of the marine workers generally. The T. U. U. L. union, the M. W. I. U. promptly called out its seamen in support of the 12,000 striking longshoremen and tied up every ship coming into Frisco. The other marine unions, A. F. of L., followed suit, and soon the entire marine industry of the Pacific Coast was paralyzed. Ten unions, with 30,000 workers,

(Testimony of Howard Rushmore.)

were now out. [742] The striking unions made a Solidarity Pact and formed the Joint Strike Committee of 50, with Harry Bridges as Chairman."

And reading from page 264, the second paragraph:

"The 30,000 maritime workers continued their coastwide strike until July 31st, when they agreed to arbitration. By force of their solidarity and fighting spirit, they managed to secure a favorable decision. Later the I. L. A. reelected its fighting leader, Bridges; the marine unions built up their strength, united themselves into the Maritime Workers Federation, and established the best wages, hours and working conditions to be found on any American coast.

"In this great strike the C. P. and T. U. U. L. forces made a number of errors. Among these were a certain hesitation at times in exposing the treachery of the A. F. of L. leaders, the failure to spread the struggle to the Atlantic and Gulf coasts, a lack of activity by the left labor forces to get control of the General Strike Committee, etc. But in the main it was a splendid and successful fight and it cast much deserved credit upon the Communist Party and the other militant fighters who led it so gallantly."

By Mr. Del Guercio:

Q. I will show you a booklet, Mr. Rushmore, called "Report to the 8th Convention Communist Party," by Earl Browder, and ask you if you are familiar with this booklet?

(Testimony of Howard Rushmore.)

A. (Examining booklet) "I have seen that sold in the [743] St. Louis Workers' Book Shop. I think I got hold of one of those very shortly after I came in contact with the Communists down there.

Q. Was that then distributed and sold under the auspices the Communist Party?

A. Oh, yes.

Q. And circulated by them?

A. Circulated in that particular area; I know that. And that would lead one to think it was circulated throughout the country, for St. Louis is one of their main districts, and all districts are supplied with this literature.

Q. And does it contain the accepted doctrines and teachings of the Communist Party?

A. That is the speech of Earl Browder, I think—may I see that again?

Q. (Handing booklet of the witness)

A. Yes, that is a report of Earl Browder's, who was at that time General Secretary of the Communist Party of the United States. You might say this is the proletarian bible of the Communists.

Mr. Del Guercio: I offer this in evidence as Government's exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 136.) [744]

By Mr. Del Guercio:

Q. I show you a book called "The Communist," March, 1935, published monthly by the Communist

(Testimony of Howard Rushmore.)

Party of the U.S.A., and ask you if you can identify that?

A. (Examining book) Yes. This magazine is an official organ of the Central Committee of the Communist Party and is required to be read by all Party members. I recognize the by-lines of Earl Browder, Robert Minor, Anna Damon, Alex Biddleman, F. Brown and Bill Lawrence. These people, to my own knowledge, I know to be members of the Communist Party and most of them national leaders of the Party.

Q. How about Alex Biddleman?

A. He is a member of the Polburo, and probably the outstanding Marxist theoretician of the Party.

Q. And does this book, magazine, contain the accepted doctrines and the teachings of the Communist Party?

A. Yes; this is an official magazine.

Mr. Del Guercio: I offer this magazine only for one article, if your Honor please, being the "Report to the National Agitation and Propaganda Conference, January 18, 1935."

Presiding Inspector: You simply offer that article?

Mr. Del Guercio: Yes. I have a photostatic copy of it which I would like to substitute for the original.

Presiding Inspector: Very well; that may be done. [745]

(Testimony of Howard Rushmore.)

(The document referred to was received in evidence and marked Government's Exhibit No. 137.)

By Mr. Del Guercio:

Q. I will show you the February 1935 issue of The Communist, published by the Communist Party of the U. S. A., and ask you if you are familiar with that issue?

A. (Examining magazine) Yes; I have seen this issue.

Q. And that, like the previous one that you identified, contains the accepted doctrines and teachings of the Communist Party?

A. That is correct.

Mr. Del Guercio: I will offer this book in evidence and ask that a photostatic copy be substituted for the original.

Presiding Inspector: It may be received.

(The book referred to was received in evidence and marked Government's Exhibit No. 138.)

Mr. Del Guercio: May we ask for a short recess?

Presiding Inspector: Certainly. We will take a short recess.

(Whereupon a short recess was taken.)

Presiding Inspector: Proceed, Mr. Del Guercio.

By Mr. Del Guercio:

Q. I will show you a booklet called "Resolutions

(Testimony of Howard Rushmore.)

Seventh Congress of the Communist International, including the closing speech of G. Dimitroff, published by the Workers [746] Library Publishers, New York, and ask you if you can identify that booklet?

A. (Examining booklet) Yes.

Q. Is this booklet distributed and circulated by the Communist Party? A. It was; yes.

Q. Does it contain the accepted doctrines and teachings and practices of the Communist Party?

A. Yes. That is the summary of the resolutions of the Communist International meeting, which is the highest governing body of all the Communist Parties.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 139.)

Mr. Del Guercio: Reading from the top of page 27:

"While preparing the working class for rapid shifts in the forms and methods of struggle as circumstances change, it is necessary to organize, in proportion as the movement grows, the transition from the defensive to the offensive against capital, steering toward the organization of a mass political strike, in which it is indispensable that the participation of the principal trade unions of the country should be secured." [747]

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. Is that one of the practices and doctrines of the Communist Party, or was it at that time?

A. Yes. I personally went through, I think, the greatest period of these particular shifts in the Party line. I know myself, and a number of other Daily Worker reporters who were on the paper at the time I was there, were sometimes a bit bewildered by these many shifts that would come out almost overnight, and we had quite a time keeping up with the Party line and its changes towards trade unions and other organizations.

Q. Their methods were changed as circumstances or situations developed, is that correct?

A. That is correct.

Q. But would their basic principles and doctrines change?

A. No. I would say that the teachings of Lenin and Stalin and, of course, Marx, were always the base of all the Communist policies and programs. However, they did go through some astonishing maneuvers. I remember in 1936 that they ostensibly forgot Lenin and Stalin in favor of a rather weird collection of characters. They lumped together at one time Father Divine and Lincoln, and would go to quite extremes in putting forth all of a sudden new Communist heroes, which they claimed had fitted into the Party line at the moment.

Q. For what purpose? [748]

A. For the evident purpose of recruiting and

(Testimony of Howard Rushmore.)

spreading their propaganda to the American people who formerly had rejected the theory of a proletarian revolution and who possibly might have been fooled by this new democratic line.

Q. While you were a member of the Communist Party did you become familiar with these practices and policies of the Communist Party?

A. What practices do you mean?

Q. Well, refer particularly—did you ever hear of the practice of hypocrisy and deceit?

A. Yes; I heard of that a number of times.

Q. Does the Communist Party have such a policy of hypocrisy and deceit?

A. That is their outstanding policy, I would say.

Q. Their outstanding one. What is this policy of hypocrisy and deceit?

A. An example, I think, in the trade union field would be the idea that they are putting over to the rank and file of a particular union involved, that they are leading them to struggle for better wages, shorter hours, better working conditions, and things like that. That is what I would call a sublime hypocrisy because the ultimate aim is not to better the conditions of the American workers, but to recruit them into the Communist Party and prepare them as stooges for this hoped-for proletarian revolution. [749]

Q. And in following out that policy of hypocrisy and deceit what do they instruct particularly their members to do?

(Testimony of Howard Rushmore.)

A. Well, the members, of course—you mean the leaders in the various unions, or just what do you mean by that?

Q. The leaders in the various unions in particular?

A. Well, these leaders, if they are Communists, are pretty well schooled in Communist technique. That technique is very elastic and flexible. They may put forth almost any proposal or any policy to fit the given moment, and to ultimately strengthen their position, and even to strengthen their union.

Q. Well, now, these labor leaders, Communist Party labor leaders, are they instructed to disclose their membership in the Communist Party?

A. I would say up until the time I knew anything about the Communist Party—before that they were rather open and, you might say, to a semi-degree, honest in that they would say they were Communists and were after such and such a goal. But when I came into the Party and doing my newspaper work there covering various union activities, I found they tried to completely submerge the identity of known Communists, if they were labor leaders. For instance, Weinstock, I knew to be a member of the Central Committee in New York, and known as an aggressive labor leader, and no mention was made of him in the *Daily Worker* of his being a Communist. [750]

Q. In carrying out this policy of hypocrisy and

(Testimony of Howard Rushmore.)

deceit what are the members instructed regarding the giving of testimony in the courts of this country?

A. Well, the devoted Party member has been taught, and it is very carefully taught, if he is in a position where he should know this, that a court of law is nothing but a capitalist institution and, as such, one of the worst, and to lie before a court or to in any way give false testimony, is not a disgrace; on the contrary, it is an honor to the Party if it advances the Party's end. [751]

Mr. Del Guercio: I don't know if I offered this last document in evidence.

The Reporter: Yes, it was offered and received.
By Mr. Del Guercio:

Q. And what you have just said concerning instructions given to members of the Communist Party, of course, applies also to members of the Communist Party, members of the so-called front organization like the ILD, the Marine Workers Union and such similar organizations?

A. That applies throughout the front groups. I remember one example during the Civil War in Spain. Some committee, medical committee set up to aid the Loyalists was aided by a Minister and the Communists went to some length to use this Minister as their leading front individual, and he died in 1938, I believe, and then the Daily Worker came out and said he was a member of the Communist Party, only after he was dead. Before that they went to some length to say he was not

(Testimony of Howard Rushmore.)

a Communist and even intimated he was not pro-Communist.

Q. I will show you a pamphlet called "Democracy or Fascism", Earl Browder's Report to the 9th Convention of the Communist Party, published by Workers Library Publishers, New York City, June 1936, and ask you if you can identify it?

A. (Examining pamphlet) Yes, that pamphlet was widely distributed by the Communist Party during that year. [752]

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 140.)

By Mr. Del Guercio:

Q. You say that was distributed and published by the Communist Party?

A. Very widely distributed, yes.

Q. I will show you another issue, August, 1936, of "The Communist" published monthly by the Communist Party of the United States of America and ask you if you are familiar with that issue?

A. (Examining pamphlet) I recognize the by-lines on the cover—they are also in the index—of Bittelman, Harrison George, David Ramsey, V. J. Jerome. All these persons I know of my own knowledge to be members of the Communist Party.

Q. I note here an article on The World Peace Conference by Harrison George.

(Testimony of Howard Rushmore.)

You say you recognize Harrison George as a member of the Communist Party?

A. Yes; I knew Mr. George personally while I was on the staff of the—that was The Young Worker at the time I knew him.

Q. What does he do at the present time? [753]

A. Mr. George, I believe, is Editor of The Peoples World.

Q. And is The Peoples World an organ of the Communist Party?

A. They proclaimed it was not an organ but it is a Communist Paper financed by the Communist Party.

Q. Do you know what positions, if any, Harrison George occupied in the Communist Party either here in the United States or elsewhere?

A. Before I came to New York I had heard that Harrison George had been a writer for the Daily Worker. He edited a column called "Red Sparks" as a member of the staff, and in the spring of '36 I met him there and had several conversations with him. He came from my part of the country and we got rather familiar, talking about the old times anew. While we were talking he said that he had been engaged in Comintern work, I believe down in Brazil, South America, at least. Comintern work means in American language a special agent for the Communist International.

Q. Do you know if he was ever an agent of the so-called OGPU?

(Testimony of Howard Rushmore.)

A. That would be the same thing.

Mr. Del Guercio: I will offer this document in evidence.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 141.) [754]

Mr. Del Guercio: In the interest of time may I offer these next four documents here all at one time?

Presiding Inspector: I have no objection.

Mr. Del Guercio: Have you any objection?

Mr. Gladstein: No, but will you keep them all in order?

Mr. Del Guercio: Yes.

Mr. Grossman: Any particular articles?

Mr. Del Guercio: No.

By Mr. Del Guercio:

Q. I will show you four booklets, or magazines, the first one called "Resolutions of the Ninth Convention of the Communist Party" published by the Workers Library Publishers, 1936; the next the December, 1935 issue of The Communist, published monthly by the Communist Party of the United States; the next "Party Organizer" Volume VIII, December, 1935, issued by Central Committee, Communist Party of the U.S.A., and the last, the January issue of "The Communist," and ask you if you can identify these four books?

A. (Examining books) This January 1938 issue

(Testimony of Howard Rushmore.)

of "The Communist" I remember particularly because that was while I was on the staff of the Daily Worker and we were given this every month; it was required reading of all staff members. The others I also can identify as official Communist publications.

Q. And were they distributed, all four documents, by [755] the Communist Party?

A. (Affirmative nod.)

Q. Did you say "Yes"?

A. Yes, they were.

Mr. Del Guercio: I offer these four booklets in evidence, your Honor, in the order in which they were given.

Presiding Inspector: They may be received.

(The booklets referred to were received in evidence and marked Government's Exhibits Nos. 142, 143, 144 and 145.)

By Mr. Del Guercio:

Q. On Government's Exhibit 143, the December 1935 issue of The Communist appears an article by—appears two articles, one by William W. Weinstone and another by Roy Hudson.

Is that the same Weinstone you interviewed at the time you interviewed the Alien?

A. No; that is William Weinstone, who was formerly the Communist Party organizer in Detroit in what they call the auto district. Louis Weinstock was the one that I referred to in the article.

Q. How about Roy Hudson? Do you recognize him?

(Testimony of Howard Rushmore.)

A. Yes; Hudson I knew personally as the waterfront—we called him the waterfront commissar of the Party. He was assigned by the Central Committee. I think he is—he is on the Political Bureau now, assigned to all waterfront work.

Q. And a member of the Communist Party, of course? [756]

A. A member of the Central Committee, I am sure, and I think of the Political Bureau.

Q. I will show you a booklet called "Dimitroff, Working Class Unity—Bulwark Against Fascism", published by the Workers Library Publishers, New York, and ask you if you can identify it?

A. (Examining booklet). This is not only a Communist pamphlet, but probably one of their most important ones. This gave the new line on the Trojan horse policy of the frontal organizations in adopting the democratic front and things like that. It was distributed in tens of thousands of copies throughout the United States. I would say this is one of their major publications of the last five years.

Q. When you say adopted Trojan horse tactics, what do you mean by that?

A. It stems from the old fable of the Trojan horse. I believe Dimitroff referred to it in this particular pamphlet as boring from within. The Communists decided at the Communist International Convention at Moscow in 1935 that their old tactics weren't getting them very far and they would have to, I believe the phrase was, penetrate the

(Testimony of Howard Rushmore.)

bourgeois trade unions—that meant A. F. of L.—and bore from within and attempt to get leadership in these unions, and they even soft pedaled their attacks on religion and tried to bore from within the churches. It extended from without the sphere of American social and political life to penetrate, to capture and [757] to control.

Q. Was all that for the purpose of deceiving?

A. Certainly.

Q. And you say this was widely distributed by the Communist Party?

A. Very widely, yes, one of their major pamphlets.

Mr. Del Guercio: I will offer this booklet in evidence.

Presiding Inspector: It will be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 146.)

By Mr. Del Guercio:

Q. I will show you now the March 6th, 1939 issue of the Daily Worker and ask you if you can identify that particular issue?

A. (Examining paper.) Yes, I recognize this as the Daily Worker.

Q. And is that an official organ of the Communist Party, or was it at that time?

A. It was and still is in spite of their policy of disclaiming any official connection with the Party.

Q. Do they at the present time disclaim—

(Testimony of Howard Rushmore.)

A. (Interposing) Oh, they claim now they have nothing to do with the Communist Party even though it is published in the headquarters of the Party.

Q. Is that another Trojan horse tactic?

A. Yes; it is one, I think, to escape the new law about [758] registering as a foreign agent, also to escape the numerous creditors. They have a number of creditors that are always after them. They use the capitalist court in many ways to evade this.

Mr. Del Guercio: I offer this copy in evidence and ask that the photostat be substituted.

Presiding Inspector: It may be received.

(The paper referred to was received in evidence and marked Government's Exhibit No. 147.)

By Mr. Del Guercio:

Q. Where is the national headquarters of this Party, or where was it at the time you were a member?

A. It was and still is—they have two addresses: a long building running between 12th and 13th Streets, in downtown Manhattan. One address is 50 East 13th; the other is 35 East 12th.

Q. I will show you a booklet called "Abridged Proceedings, Seventh World Congress, the Communist International", No. 17-18, organ of the Executive Committee of the Communist International, published by the Workers Library Publishers, and ask you if you can identify it?

(Testimony of Howard Rushmore.)

A. (Examining booklet) Yes; this was widely distributed by the Communist Party.

Q. And does it contain the practices and teachings of the Communist Party?

A. The very important ones, that is, of the Committee [759] of the Communist International, the Executive Committee.

Q. Whatever is contained in this booklet is binding upon every Communist Party member?

A. Very binding, yes.

Q. I read from page 1175 of this booklet: "If the Communist Parties wish to become a real mass force capable of advancing the revolution, they must link up with the trade unions and rely upon them for support."

Was that the policy of the Communist Party at that time? A. Yes, as I knew it, it was.

Mr. Del Guercio: I offer this in evidence as the Government's next exhibit.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 148.)

By Mr. Del Guercio:

Q. I will show you a number of magazines, booklets and newspapers—not newspapers—they are copies of the Daily Worker—the first called "The Communist International," August 1938 issue, organ of the Executive Committee of the Communist Party; the second, "The War and the Working

(Testimony of Howard Rushmore.)

Class" by Georgi Dimitroff, General Secretary of the Communist International; the next, "The Struggle Against War, the Peace Policy of the Soviet Union" by Robert Minor, published by the Workers Library Publishers, October 1936; the next "Social-[750] ism, War and America" by Earl Browder, General Secretary, Communist Party, U.S.A., published by the Workers Library Publishers, November, 1939, and the next, copy of the Sunday Worker dated New York, November 5, 1939, and the last, copy of the Sunday Worker, dated New York, Monday, November 6, 1939, and I ask you if you can identify all of these documents?

A. (Examining documents) Yes, these are all official Communist documents.

Q. Were they distributed and circulated by the Communist Party? A. Yes, sir.

Q. With particular reference to the booklet called "The War and the Working Class" by Georgi Dimitroff; do you know when this was issued?

A. I don't remember the year on that.

Q. Do you recognize the print of the Workers Library Publishers?

A. They had a union label on there that was usually indicative; I think it was 209. That is usually the give-away on their publications.

Mr. Del Guercio: Well, this shows on a certain page, your Honor, that it was published by the Workers Library Publishers, Incorporated, P. O. Box 148, Station D, New York, New York. Then appears the union label and the number 209.

(Testimony of Howard Rushmore.)

I will offer these documents in evidence in the order in which they were presented to the witness.

[761]

Presiding Inspector: They may be received.

(The document referred to were received in evidence and marked Government's Exhibits Nos. 149 to 154 inclusive.)

By Mr. Del Guercio:

Q. I will show you a booklet called "Handbook of Marxism" published by the International Publishers, New York, and ask you if you recognize this book?

A. (Examining book) Yes; that was sold at the Workers Book Store there on 13th Street when I was in New York connected with the Party.

Q. Was it caused to be sold by the Communist Party? A. Yes.

Q. Distributed by the Communist Party?

A. That is correct?

Q. Circulated by it? A. That is right.

Q. Does this contain the accepted doctrines, teachings of the Communist Party?

A. It is a condensation of the major works, I believe, of Marx, Engels, Lenin and Stalin and others.

Q. And are the doctrines and teachings here binding upon every member of the Communist Party?

A. I would say those are the basic teachings of Communism.

(Testimony of Howard Rushmore.)

Mr. Del Guercio: I will offer this book in evidence, if your Honor please. [762]

Presiding Inspector: It may be received.

(The book referred to was received in evidence and marked Government's Exhibit No. 155.)

Mr. Del Guercio: I would like to read an excerpt from this book, if your Honor please, on page 1041:

"In order that revolutionary work and revolutionary action may be co-ordinated and in order that these activities may be guided most successfully, the international proletariat must be bound by international class discipline, for which first of all, it is most important to have the strictest international discipline in the Communist ranks.

"This international Communist discipline must find expression in the subordination of the partial and local interests of the movement to its general and lasting interests and in the strict fulfilment, by all members, of the decisions passed by the leading bodies of the Communist International.

"Unlike the social-democratic Second International, each Section of which submits to the discipline of 'its own,' national bourgeoisie and of its own 'fatherland,' the Sections of the Communist International submit to only one discipline, viz., international proletarian discipline, which guarantees victory in the struggle of the world's workers for world proletarian dictatorship."

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. I will show you a booklet called "The Communist [763] Party, A Manual On Organization" by J. Peters, published by the Workers Library Publishers, and ask you if you can identify it?

A. (Examining booklet) Yes, I have seen this publication. It was a very important one inasmuch as it was used as a guide by all the party organizers, particularly unit organizers and section organizers and organizers of what they call the industrial or shop units. It gave a very complete detailed picture of how the Party units should be set up in various industries, or in street units, ~~very~~ inclusive and very important to the Party.

Q. And is it used particularly by labor leaders?

A. Well, I would say it is used by labor leaders who are members of the Communist Party.

Q. Yes, that is what I mean. And this is circulated, of course, and distributed by the Communist Party?

A. It is.

Mr. Del Guercio: I offer this in evidence as Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 156.)

By Mr. Del Guercio:

Q. On page 42 of this booklet a definition is given of the Communist International as follows:

"The Communist International is the Interna-

(Testimony of Howard Rushmore.)

tional organi- [764] zation of Communist Parties in all countries. It is the World Communist Party. The Communist Parties in the various countries affiliated to the Comintern are called Sections of the Communist International."

Is that correct? A. That is correct.

Q. And again on page 104 are set forth the conditions for membership in the Communist Party, and among the conditions are these: I read:

"I now take my place in the ranks of the Communist Party, the Party of the working class. I take this solemn oath to give the best that is in me to the service of my class. I pledge myself to spare no effort in uniting the workers in militant struggle against fascism and war. I pledge myself to work unsparingly in the unions, in the shops, among the unemployed, to lead the struggles for the daily needs of the masses. I solemnly pledge to take my place in the forefront of the struggle for Negro rights; against Jim-Crowism and lynching, against the chauvinist lies of the ruling class. I pledge myself to rally the masses to defend the Soviet Union, the land of victorious Socialism. I pledge myself to remain at all times a vigilant and firm defender of the Leninist line of the Party, the only line that insures the triumph of Soviet Power in the United States."

"Our Party application carries this declaration;

"The undersigned declares his adherence to the program [765] and statutes of the C.P. and the Communist Party of the U.S.A. and agrees to

(Testimony of Howard Rushmore.)

submit to the discipline of the Party and to engage actively in its work.' "

Does that appear, or usually appear on membership books of the Communist Party?

A. That is an oath, I believe, which, I think, was administered in 1935 and, perhaps, prior to that. I heard it administered in 1935 at Madison Square Garden to several hundred newly recruited Communists and this was at a large rally, a rather impressive thing. They put it on for its showmanship value, I would say. I never heard that particular oath administered after that; they may have changed the wording. That is pretty strong for the line they later adopted, but on the Party card which you signed as an applicant, I think the latter portion which you read there is correct, if I remember.

Q. Well, there is something in here about Fascism, that they pledged themselves to fight Fascism. Did they change that policy after Lenin, or Stalin and Hitler got together?

A. Well, they pledged to fight Fascism and, oh, I know they were doing that when I joined and up until the time that Hitler became a comrade they were very active in doing that, but as soon as the pact was signed there was a marked decrease in that Nazi-anti-Fascist program of theirs. [766]

Q. And were you associated with the Daily Worker after the getting together of Hitler and Stalin? A. Only for a brief time.

Q. And did the policy of the Daily Worker

(Testimony of Howard Rushmore.)

change in connection with its fight against Fascism after that meeting?

A. Yes, it changed to a marked degree. I know when the pact was signed there was some consternation around there, particularly among the staff members, even on the editorial board where there was usually a serene calm reigning. They had quite a time deciding what line their editorials should take explaining this. I think it was held up one day until they could get a complete formulation. When they did publish the editorial there were hundreds of letters from Daily Worker readers protesting this pact and demanding a better explanation. I know of two staff members being assigned to write letters from readers which glowingly hailed this pact, letters written in the city room of the Daily Worker, whereas, the protesting letters were never printed; most of them were destroyed.

Q. I will show you what appears to be an application card for membership in the Communist Party of the U.S.A. after the year 1936, and ask you if you recognize this card?

A. (Examining card) Yes, I have seen this card. If you will notice their slogan, it has been much watered down from the one you read. They just ask for adherence to the [767] program and statutes of the Communist International of the Communist Party, and agree to submit to the discipline of the Party. There is no mention there of the Leninist line and things like that. It changed:

(Testimony of Howard Rushmore.)

within a period of a year there they changed their recruiting slogan.

Q. Well, do you recognize this as an application card for membership in the Communist Party?

A. Yes, I have seen this card.

Mr. Del Guercio: I offer that in evidence and ask that a photostatic copy thereof be submitted for the original, that we be permitted to withdraw the original.

Presiding Inspector: It may be received.

(The card referred to was received in evidence and marked Government's Exhibit No. 157.)

By Mr. Del Guercio:

Q. I will show you a pamphlet called "The Constitution and By-Laws of the Communist Party of the United States of America," published by the Workers Library Publishers, Incorporated, August 1938, and ask you if you can identify it?

A. (Examining pamphlet) This was widely distributed, principally because this is a new constitution for the Communist Party in which they set forth their Trojan horse policy and watered down the more revolutionary aspects of their program, at least temporarily, and in this constitution they hail in the first paragraph the traditions of Jefferson, Paine, [768] Jackson and Lincoln, which, in '34, all of these national heroes in '34 they were declaring as bourgeois democrats and fakes and everything like that. This constitution was then

(Testimony of Howard Rushmore.)

widely distributed for its effect on the front organizations. People in these front groups who didn't know much about the Communist Party from reading this would think it is a left wing form of the New Deal.

Q. And this was done for what purpose?

A. For the obvious hypocrisy engaged in by the whole Trojan horse program.

Mr. Del Guercio: I will offer this in evidence, if your Honor please.

Presiding Inspector: It may be received.

(The pamphlet referred to was received in evidence and marked Government's Exhibit No. 158.)

By Mr. Del Guercio:

Q. You say this was distributed by the Communist Party? A. It was.

Q. I will show you what appears to be a later edition of the Constitution and By-Laws of the Communist Party of the United States of America, published by the Workers Library Publishers, third printing, October of 1939, and ask you if you can identify this?

A. (Examining pamphlet) Yes, I have seen this pamphlet.

Q. Was that also distributed and circulated by the Communist Party? [769] A. It was.

Mr. Del Guercio: I will offer this in evidence, your Honor, and ask that a photostatic copy be substituted.

(Testimony of Howard Rushmore.)

Presiding Inspector: It may be received.

(The pamphlet referred to was received in evidence and marked Government's Exhibit No. 159.)

By Mr. Del Guercio:

Q. I will show you a booklet called "Dimitroff, Speeches at the Seventh World Congress, The United Front Against War and Fascism," published by the Workers Library Publishers, New York, and ask you if you are familiar with that booklet?

A. (Examining booklet) Yes, I know that.

Q. Was this booklet distributed, circulated by the Communist Party? A. It was.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order and ask that a photostatic copy thereof be substituted.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 160.) [770]

By Mr. Del Guercio:

Q. I will show you a copy of the English Edition of the "International Press Correspondence," Volume 18, No. 32, dated June 25, 1938, and ask you if you are familiar with that issue?

A. (Examining magazine) This is one of the publications that all the Daily Worker staff members had to read. We were given this whenever it came out and required to read it. I know it

(Testimony of Howard Rushmore.)

was circulated and sold by the Communist Party.

Q. What is the International Press Correspondence?

A. That is similar, but on a more frequent publication basis, to the Communist International Magazine. This gives the official, you might say, the actual Moscow line, on the work of the Communist Parties throughout the world. All of this material is very carefully edited. This paper speaks for the voice of the Communist International and it is the voice of the Communist International.

Q. Is it accepted as binding upon members in the United States?

A. Any program laid down in this particular publication would be binding on them; yes.

Mr. Del Guercio: I offer this in evidence and ask that a photostatic copy be substituted for the original.

Presiding Inspector: That may be done. It will be received. [771]

(The magazine referred to was received in evidence and marked Government's Exhibit No. 161.)

By Mr. Del Guercio:

Q. I have here a number of documents, the first being the March issue of The Communist; the next being a copy of the Special Edition of the "World News and Views," formerly the International Press Correspondence, for Thursday, April 6, 1939; the next being the September, 1939, issue of The Com-

(Testimony of Howard Rushmore.)

munist, "Twenty Years of the Communist Party of the U.S.A.;" and the last being a booklet called "Milestone in the History of the Communist Party," by Alex Bittleman, published by the Workers Library Publishers, New York, and ask if you can identify these documents?

A. (Examining documents) Yes; these are all Communist publications.

Q. Were all these publications circulated and distributed by the Communist Party?

A. They were.

Q. All four of them? A. Yes.

Mr. Del Guercio: I offer these in evidence in the order shown to the witness, and ask that a photostatic copy of the "World News and Views" be substituted for the original thereof.

Presiding Inspector: That may be done. They will be received. [772]

(The documents referred to were received in evidence and marked Government's Exhibits 162, 163, 164 and 165.)

By Mr. Del Guercio:

Q. I have here a number of booklets, the first being "Resolutions of the Ninth Convention of the Communist Party," published by the Workers Library Publishers, 1936; the next being the September 1936 issue of "The Communist International"; the next "Dimitroff, Full Report and Speech in Reply to Discussion, the United Front Against Fascism and War," published by the

(Testimony of Howard Rushmore.)

Workers Library Publishers, New York, Third Edition, October 1935; and the last being the September 1938 issue of "The Communist," and ask you if you can identify these four documents?

A. (Examining documents) Yes. I recognize them. They are all Communist documents.

Q. Were all four of these documents distributed by the Communist Party? A. Yes, they were.

Q. And circulated by it? A. Yes, they were.

Mr. Del Guercio: I offer them in evidence in the order shown to the witness.

Presiding Inspector: They may be received.

(The documents referred to were received in evidence and marked Government's Exhibits 166, 167, 168 and 169.) [773]

By Mr. Del Guercio:

Q. I show you a booklet called "Party Organizer," dated July 1938, issued by the Central Committee, Communist Party, U. S. A., and ask if you can identify that? A. (No answer)

Presiding Inspector: Did the witness answer?

The Witness: No. I thought he was going to show me the others.

This is the Party Organizer issued by the Central Committee of the Communist Party. I have seen this, this particular copy, and I know it was distributed by the Communist Party.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(Testimony of Howard Rushmore.)

(The booklet referred to was received in evidence and marked Government's Exhibit No. 170.)

By Mr. Del Guercio:

Q. I show you a pamphlet called "An Open Letter to All Members of the Communist Party," issued by the Central Committee of the Communist Party, U.S.A., and ask you if you can identify that?

A. (Examining pamphlet) This was printed and distributed a year or two before I knew anything about the Communist Party; but this particular document was later re-printed in various forms, a very important thing at that time, and held [774] good until 1934 and 1935; this particular policy.

Q. Was it distributed during the time that you were a member of the Communist Party?

A. I have seen it in a book, I believe, of Browder's speeches, or something like that; it was a part of that book. I have never seen this particular pamphlet before in this form, but I know this Open Letter was published by the Communist Party and distributed in other forms.

Presiding Inspector: Whose letter is it?

The Witness: It is called "An Open Letter," which was adopted by the Extraordinary National Conference of the Communist Party of the U. S. A., held in New York City, July 7-10, 1933.

Presiding Inspector: No author?

The Witness: No; put out by the Central Committee, Communist Party, U.S.A.

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. Can you recognize it as such? A. Yes.

Mr. Del Guercio: I offer it in evidence.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 171.)

By Mr. Del Guercio:

Q. I show you a copy of "Sunday Worker," for Sunday, February 19, 1939, and ask you if you recognize that issue of [775] the Sunday Worker?

A. (Examining newspaper) Yes. This is the Sunday Worker. I was on the staff at that time and was in charge of getting out this supplement which was issued in the Sunday Worker.

Q. And that was caused to be published by the Communist Party? A. Yes.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order, and ask that a photostat thereof be substituted for the original.

Presiding Inspector: That may be done. It may be received.

(The newspaper referred to was received in evidence and marked Government's Exhibit No. 172.)

By Mr. Del Guercio:

Q. I show you a booklet called "Earl Browder Reports to the Ninth Convention of the Communist Party," Manhattan Opera House, New York, June

(Testimony of Howard Rushmore.)

24, 1936, published by the Workers Library Publishers, New York, and ask you if you recognize that document?

A. (Examining booklet) Yes; this is a Communist Party document.

Q. I believe it states that Earl Browder was then the General Secretary of the Communist Party, is that correct? A. He was at that time; yes.

Q. Was this distributed and circulated by the Communist Party? A. It was. [776]

Mr. Del Guercio: I offer it in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 173.)

By Mr. Del Guercio:

Q. I will show you a pamphlet called, "Resolutions of the 10th Convention of the Communist Party, U.S.A., the Democratic Front, the 1938 Elections, Party Building," published by the Workers Library Publishers, Inc., July 1938, and ask you if you recognize that?

A. (Examining pamphlet) I do. That is an official Communist Party publication.

Q. Was it distributed by the Communist Party?

A. It was.

Q. And circulated by it? A. It was.

Q. On page 18 of this pamphlet appears the following:

(Testimony of Howard Rushmore.)

"Of equal importance and urgency with the recruitment of new members is the rapid expansion of the Daily Worker, Sunday Worker, Daily Record and People's World, on a scale that would correspond to the growing role and influence of our Party, as the indispensable instrument for realizing the present objectives and historic aims of the working class movement, and extending also our shop and neighborhood papers." [777]

Are all those papers mentioned in there Communist-controlled publications?

A. Yes, they are.

Mr. Del Guercio: I offer that in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 174.)

By Mr. Del Guercio:

Q. I show you a booklet called "The Communist International," organ of the Executive Committee of the Communist International, published by the Workers Library Publishers, and ask you if you recognize this document?

A. (Examining booklet) I do.

Q. Was that booklet circulated and distributed by the Communist Party? A. It was.

Q. Does it contain the teachings and doctrines of the Communist Party?

A. The basic teachings.

(Testimony of Howard Rushmore.)

Mr. Del Guercio: I offer that in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 175.)

By Mr. Del Guercio: [778]

Q. I show you a copy of the Sunday Worker, for May, 1929, and call your attention to the Special Supplement appearing therein, and ask you if you recognize this paper?

A: (Examining paper). Yes; for this particular edition of the Sunday Worker I was the City Editor.

Q. At that time? A. Yes.

Mr. Del Guercio: I offer in evidence, if your Honor please, only the Special Supplement appearing in this paper, and ask that a photostatic copy thereof be substituted for the original.

Presiding Inspector: It may be received.

(The special supplement referred to was received in evidence and marked Government's Exhibit No. 176.)

Presiding Inspector: Will you have enough documents to occupy the afternoon?

Mr. Del Guercio: No, I do not believe so, your Honor. I believe it will take another half hour, or an hour at the most.

Would you like to adjourn at this time?

Presiding Inspector: It is now half past twelve

(Testimony of Howard Rushmore.)

and I think we will adjourn at this time and reconvene at 2:00.

(Whereupon, at 12:30 p.m., a recess was taken until 2:00 p.m. of the same day.) [779]

After Recess

2:00 o'Clock P.M.

Presiding Inspector: You may resume, Mr. Del Guercio.

HOWARD RUSHMORE

called on behalf of the Government, having been previously duly-sworn, testified further as follows:

Direct Examination (Resumed)

By Mr. Del Guercio:

Q. Mr. Rushmore, I will show you Government's Exhibit No. 145. The Communist for January, 1938. Are you familiar with that particular issue of The Communist?

A. (Examining magazine) Yes.

Q. You mentioned, or testified this morning concerning this so-called Trojan Horse policy of the Communist Party, and at about 1936 they began concealing their real aims?

A. The policy was actually established in 1935 at the Moscow convention of the Communist International, but the actual working out of that policy didn't get going in this country, I would say, until the latter part of 1935 and early 1936.

Q. Now, this magazine here, The Communist,

(Testimony of Howard Rushmore.)

• Government's Exhibit No. 145, on the back page of the front cover, suggests readings for Lenin Memorial Day, certain books by Lenin, Browder, Stalin and Alex Bittleman, that were printed and published prior to that time? [780]

A. Yes. I am familiar with most of those publications.

Q. Most of them were published, however, prior to the time that they began to adopt this Trojan Horse policy?

A. Yes: most of them were.

Q. Did they nevertheless continue to circulate and distribute literature which contained the basic principles of Communism?

A. Oh, they did, yes.

Q. And they did, as indicated by this advertisement here in this Communist Magazine, continue to suggest the reading and distribution of such publications?

A. Yes, that was part of the policy, even though they—a milder form was being advocated, the Party members were still urged to read the basic teachings of Lenin, Stalin, Marx, and so forth.

Q. So that they never abandoned at any time the basic principles, teachings of Lenin and Stalin?

A. No.

Q. And others?

A. No, not at any time.

Q. Mr. Rushmore, I have here a number of documents, the first one being a copy of the Daily Worker for Tuesday, November 15, 1938; the sec-

(Testimony of Howard Rushmore.)

and one being a booklet called "The Fight for Recovery, Stop the Sit-Down Strike of Big Business," by Mary Collins, published by the National Campaign Committee [781] of the Communist Party by Workers Library Publishers, 1936; the next one a booklet called "The Democratic Front", by Earl Browder, General Secretary, Communist Party, U.S.A., published by the Workers Library Publishers, and the next being a booklet called "Theory as a Guide to Action," by Earl Browder, published by the Workers Library Publishers, January 1939; and the last being a copy of the Daily Worker for Wednesday, September 7, 1938, and I will ask you if you can identify all these documents?

A. (Examining documents) Yes, these are all Communist documents.

Q. Were all these documents distributed by the Communist Party? A. They were.

Q. And circulated by the Communist Party?

A. They were.

Mr. Del Guercio: I offer these in evidence in the order shown to the witness.

Presiding Inspector: They may be received.

Mr. Del Guercio: And I ask that photostatic copies of the Daily Worker be substituted for the originals:

Presiding Inspector: That may be done.

(The documents referred to were received in evidence and marked Government's Exhibits 177, 178, 179, 180 and 181.) [782]

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. I will show you a booklet called "State and Revolution," by V. I. Lenin, revised translation, published by International Publishers, New York, 1935, and ask you if you are familiar with this booklet?

A. (Examining booklet) Yes.

Q. Was this booklet distributed and circulated by the Communist Party?

A. Widely distributed.

Q. And does it contain the accepted doctrines and principles of the Communist Party?

A. Yes, it does.

Mr. Del Guercio: I want to call the Court's attention to the fact that this booklet here is listed on Government's Exhibit No. 145 as literature which should be read and distributed.

I offer it in evidence.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 182.)

Mr. Del Guercio: If the Court please, I would like to read from this booklet on the question of the advocacy of force and violence by the Communist Party—reading at the bottom of page 9:

"But what is forgotten or glossed over is this: If the [783] State is the product of the irreconcilable character of class antagonisms, if it is a force standing above society and increasingly sepa-

(Testimony of Howard Rushmore.)

rating itself from it,' then it is clear that the liberation of the oppressed class is impossible not only without a violent revolution, but also without the destruction of the apparatus of state power, which was created by the ruling class and in which this 'separation' is embodied."

And reading again from page 19 of this same booklet, at the bottom of the page:

"We have already said above and shall show more fully later that the teaching of Marx and Engels regarding the inevitability of a violent revolution refers to the bourgeois state. It cannot be replaced by the proletarian state (the dictatorship of the proletariat) through 'withering away,' but, as a general rule, only through a violent revolution."

And again on page 23, at the bottom of the page:

"The doctrine of the class struggle, as applied by Marx to the question of the State and of the Socialist revolution, leads inevitably to the recognition of the political rule of the proletariat, of its dictatorship, i.e., of a power shared with none and relying directly upon the armed force of the masses. The overthrow of the bourgeoisie is realizable by the transformation of the proletariat into the ruling class, able to crush the inevitable and desperate resistance of the bourgeoisie, and to organize, for the new economic order, all [784] the toiling and exploited masses.

"The proletariat needs state power, the centralized organization of force, the organization of vio-

(Testimony of Howard Rushmore.)

hence, both for the purpose of crushing the resistance of the exploiters, and for the purpose of guiding the great mass of the population."

By Mr. Del Guercio:

Q. I will show you a booklet called "Foundations of Leninism," published by International Publishers, New York, and ask you if you are familiar with this booklet?

A. (Examining booklet) Yes. That was issued and in the first printing there were 100,000 copies. It was unusual for a Communist publication and there was wide distribution of it by the Communist Party.

Q. Who was it distributed by?

A. The Communist Party and its agencies.

Q. Does this booklet contain the doctrines and teachings of the Communist Party?

A. It does.

Mr. Del Guercio: I would like to call the Court's attention to the fact that, although this booklet was published in 1934, it is shown in Government's Exhibit 145 as being one of the books that was suggested to be read and distributed.

Now reading from pages 50 and 51 of this book:

"The dictatorship of the proletariat does not arise on the basis of bourgeois order; it arises while this order is [785] being torn down, after the overthrow of the bourgeoisie, in the process of the expropriation of the landlords and capitalists during the process of socialization of the principal instru-

(Testimony of Howard Rushmore.)

ments and means of production, in the process of violent proletarian revolution. The dictatorship of the proletariat is a revolutionary power based on violence against the bourgeoisie."

And again reading from page 52, the middle of the page:

"Democracy under the capitalist system is capitalist democracy, the democracy of an exploiting minority based upon the restriction of the rights of the exploited majority and directed against this majority."

Again reading from the bottom of this same page:

"Second deduction: The dictatorship of the proletariat cannot come about as a result of the peaceful development of bourgeois society and of bourgeois democracy; it can only come as the result of the destruction of the bourgeois state machine, of the bourgeois army, of the bourgeois civil administration and of the bourgeois police."

Again reading on page 103 we find.

"The revolutionary will accept a reform in order to use it as a means wherewith to link legal work with illegal work, in order to use it as a screen behind which his illegal activities for the revolutionary preparation of the masses for the overthrow of the bourgeoisie may be intensified.

"This is what the revolutionary utilization of reforms [786] and agreements in an imperialist environment means."

(Testimony of Howard Rushmore.)

Now continuing at page 108, the bottom of the page, and continuing on page 109:

"Every army at war must have an experienced General Staff if it is to avoid certain defeat. All the more reason therefore why the proletariat must have such a General Staff if it is to prevent itself from being routed by its mortal enemies. But where is this General Staff? Only the revolutionary party of the proletariat can serve as its General Staff. A working class without a revolutionary party is like an army without a General Staff. The Party is the Military Staff of the proletariat."

I will offer this document in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 183.) [787]

Mr. Gladstein: I notice, our Honor, that the last document just submitted was introduced also in the former trial against Mr. Bridges. I am wondering what distinguishing marks the reporter is making to show what number it takes now.

It probably has a different number from the one it had before, doesn't it?

The Reporter: The old exhibit is scratched off and the new exhibit number will be on this with the date as of today.

Mr. Gladstein: Thank you.

(Testimony of Howard Rushmore.)

By Mr. Del Guercio:

Q. I will show you another booklet called "A Letter to American Workers" by V. I. Lenin, published by the International Publishers, 381 Fourth Avenue, New York, and ask you if you are familiar with this book?

A. (Examining book) Yes, that is a Communist Publication.

Q. And was it circulated and distributed by the Communist Party? A. It was.

Mr. Del Guercio: I will offer it in evidence, if your Honor please, as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The book referred to was received in evidence and marked Government's Exhibit No. 184.)

Mr. Del Guercio: And I desire to call the Court's [788] attention to the fact that this document is also another one of those mentioned in Government's Exhibit 145.

And reading from page 16 of this booklet, beginning at the bottom of the page:

"Representatives of the bourgeoisie understand that it was worth letting the country go through long years of civil war, the abysmal ruin, destruction and terror which are connected with every war for the sake of the overthrow of Negro slavery and the overthrow of the rule of the slave-owners. But now, when we are confronted with the vastly

(Testimony of Howard Rushmore.)

greater task of the overthrow of capitalist wage-slavery, the overthrow of the rule of the bourgeoisie — now the representatives and defenders of the bourgeoisie, as well as the socialist-reformists, frightened by the bourgeoisie and shunning the revolution, cannot understand and do not want to understand the necessity and the legality of civil war.

The American workers will not follow the bourgeoisie. They will be with us for civil war against the bourgeoisie. The whole history of the world and the American labor movement strengthens my conviction."

Presiding Inspector: Who wrote that?

Mr. Del Guercio: V. I. Lenin.

By Mr. Del Guercio:

Q. V. I. Lenin, is he sort of a patron saint of the Communist Party? [789]

A. I would say he is the ranking patron saint, even before Marx.

Q. I will show you another book entitled "Strategy and Tactics" published by the International Publishers, Copyright, 1936, and ask you if you are familiar with that?

A. (Examining book) I have seen that distributed.

Q. Distributed by the Communist Party?

A. That is correct.

Q. And does it contain, as the title indicates, strategy and tactics?

(Testimony of Howard Rushmore.)

A. As the title indicates, I have never read that particular volume but I am familiar with the general content, that it is a basic formulation of Communist action for the world parties.

Mr. Del Guercio: I offer this book in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The book referred to was received in evidence and marked Government's Exhibit No. 185.)

By Mr. Del Guercio:

Q. I will show you a book called "Problems of Leninism" by Joseph Stalin, published by the International Publishers, New York, and ask you if you are familiar with that?

A. (Examining book) I am.

Q. Who is the Joseph Stalin mentioned?

A. He is the Russian Dictator, Joseph Stalin.

[790]

Q. And was this booklet circulated and distributed by the Communist Party? A. It was.

Mr. Del Guercio: I will offer this in evidence, if your Honor please.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 186.)

Mr. Del Guercio: And if I may be permitted to do so, I would like to read from page 19 of this book, 19 and 21.

(Testimony of Howard Rushmore.)

"Can such a radical transformation of the old bourgeois system of society be achieved without a violent revolution, without the dictatorship of the proletariat?"

"Obviously not. To think that such a revolution can be carried out peacefully within the framework of bourgeois democracy, which is adapted to the domination of the bourgeoisie, means one of two things. It means either madness, and the loss of normal human understanding, or else an open and gross repudiation of the proletarian revolution."

And going down, skipping one paragraph:

"That is why Lenin states that . . . the liberation of the oppressed class is impossible not only without a violent revolution, but also without the destruction of the apparatus of state power, which was created by the ruling class." [791]

And on page 39:

"Fifthly, the concept of the dictatorship of the proletariat is a concept of the state. The dictatorship of the proletariat must necessarily include the concept of violence. There is no dictatorship without violence if dictatorship is to be understood in the strict sense of the term. Lenin defines the dictatorship of the proletariat as 'power based directly on violence.'"

By Mr. Del Guercio:

Q. I will show you another booklet called "The Proletarian Revolution and Renegade Kautsky" by V. I. Lenin, published by the International Pub-

(Testimony of Howard Rushmore.)

lishers, New York, Copyright 1934, and ask you if you are familiar with that?

A. (Examining book) Yes, I have seen that book occasionally.

Q. And was this publication distributed and circulated by the Communist Party?

A. It was.

Mr. Del Guercio: I offer this in evidence, your Honor, as Government's Exhibit next in order.

Presiding Inspector: Received.

(The book referred to was received in evidence and marked Government's Exhibit No. 187.)

Mr. Del Guercio: And for further literature on the advocacy of force and violence by the Communist Party I direct the Court's attention to pages 19, 20 and 22 of this booklet. [792]

By Mr. Del Guercio:

Q. I will show you a pamphlet called "The Party Organizer", March 1935, issued by the Central Committee, Communist Party of the U. S. A., and ask you if you are familiar with this document?

A. (Examining pamphlet) Yes, I have seen this particular copy of this publication.

Q. And is that distributed and published by the Communist Party? A. It is.

Mr. Del Guercio: I offer this document in evidence, your Honor, as Government's Exhibit next in order.

Presiding Inspector: Received.

(Testimony of Howard Rushmore.)

(The pamphlet referred to was received in evidence and marked Government's Exhibit No. 188.)

Mr. Del Guercio: And for the purpose of showing how the Communist Party circulates and distributes and the amount of the distribution of these various publications I read from page 42 and 43 of this book.

"The lowest edition published this year was 4,000 and the highest 60,000. The 60,000 wasn't a one-cent pamphlet either. It was Why Communism?, and retailed at 10 cents. We are preparing a new edition of the pamphlet at 5 cents. We expect to publish 250,000 during the year—starting with 100,000. We published 11 pamphlets on trade unionism and [793] labor struggles. We published 4 Y. C. L. pamphlets. It is very interesting to say that the best distribution was received of the youth pamphlets. Ninety per cent were sold. They were published in 20,000 to 25,000 editions. The Y. C. L. primarily handled the distribution."

By Mr. Del Guercio:

Q. What is the Y. C. L.?

A. It refers to the Young Communist League.

Q. I will show you a pamphlet called "Capitalist Stabilization has Ended", Thesis and Resolutions, apparently of the Twelfth Plenum of the E. C. C. I., published by the Workers Library Publishers, and ask you if you are familiar with this document?

A. (Examining document) This was published in 1932 but I have seen a copy of this. I remember

(Testimony of Howard Rushmore.)

the title "Capitalist Stabilization has Ended" provoked an argument one day. I was talking to some Communist there in New York about that. The advantage of trying to push a pamphlet like this out where I came from with the title "Capitalist Stabilization has Ended", I said it was not very intriguing. I remember that incident, although the pamphlet was printed about two or three years before I knew anything about the Communist Party, but it was distributed widely, yes.

Q. It was distributed?

A. Yes; there were some still around at the time I got ahold of that. [794]

Q. When you say it was distributed you mean it was distributed by the Communist Party?

A. Yes.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The pamphlet referred to was received in evidence and marked Government's Exhibit No. 189.)

Mr. Del Guercio: And reading from page 20 and 21 of this document:

"In regard to organization, the chief tasks of the Sections of the C.I. are: (a) carefully to conceal the Communist nuclei in the factories, combining this with fearless mass work; (b) to immediately proceed to form strictly secret nuclei in military units and the militarized organizations of the bourgeoisie

(Testimony of Howard Rushmore.)

in munition factories, on the railroads and in the ports; (c) to wage a determined struggle against provocation in all forms; (d) to take measures to insure that the Party can promptly pass to an illegal basis in case of necessity;"

And again from the bottom of page 20:

"The E.C.C.I. insists on the Y.C.L. being converted into a real mass organization, and imposes on all the Communist Parties the duty of securing an improvement in the political mass work among the youth and the strengthening of the Party [795], leadership of the work of the Y.C.L. Equally, the Comintern insists on the conversion of the sports leagues, and the I.L.D. (I.R.A.) into real mass organizations."

By Mr. Del Guercio:

Q. Now, Mr. Rushmore, what is the E.C.C.I.?

A. That is the Executive Committee of the Communist International.

Q. And the Y.C.L.?

A. Young Communist League.

Q. And the I.L.D.?

A. That probably is the International Labor Defense.

Q. And the I.R.A., if you know?

A. I don't know about that. [796]

Presiding Inspector: You said something about the International Red Aid?

The Witness: It might be; I am not familiar with that.

(Testimony of Howard Rushmore.)

Mr. Del Guercio: I believe there is already evidence in the record on that by Mr. Gitlow.

Presiding Inspector: Yes — International Red Aid

By Mr. Del Guercio:

Q. I show you a booklet called "The Communist Party in Action," by Alex Bittelman, published by the Workers Library Publishers, New York, in May of 1934, and ask you if you are familiar with that?

A. (Examining booklet) I have seen this particular pamphlet.

Q. Was it distributed and circulated by the Communist Party? A. It was.

Q. Do you know the Alex Bittelman who is shown to have written this article? A. I do.

Q. Is he a member of the Communist Party?

A. He is a member of the Political Bureau of the Communist Party and one of the national leaders.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 190.) [797]

By Mr. Del Guercio:

Q. I will show you a booklet called "The Great San Francisco General Strike," by William F. Dunne, published by the Workers Library Publishers, October 1934, and ask you if you are familiar with that?

(Testimony of Howard Rushmore.)

A. (Examining booklet) I have seen that pamphlet; yes.

Q. Was it distributed and published by the Communist Party? A. It was.

Q. And circulated by it? A. It was.

Q. Do you know the Wm. F. Dunne who prepared this?

A. I know him as former editor of the Daily Worker and now on the staff of the Daily Worker.

Q. Is he a member of the Communist Party?

A. He was a member of the Central Committee until he was expelled, and I think he was reinstated at one time and is now back in the good graces of the Communist Party.

Mr. Del Guercio: If the Court please, on page 5 of this document appears this:

"The Marine Workers Industrial Union—affiliated to the Trade Union Unity League—raised the question of a general strike. The Left wing in the leadership of the ILA and the Joint Strike Committee of the Waterfront Unions, headed by Harry Bridges, in San Francisco, endorsed the [798] proposal to call upon the Bay Counties' unions for a general strike.

"Harry Bridges and the committee of strikers brought the question of the general strike to the Central Labor Councils in San Francisco and Oakland. The official leaders opposed it. Bridges and the committee then began a systematic canvass of all local unions affiliated to the Central Labor Councils."

(Testimony of Howard Rushmore.)

I offer this to show that Harry Bridges and the Marine Workers Industrial Union are shown, by this booklet, to be affiliated to the Trade Union Unity League.

I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 191.)

By Mr. Del Guercio:

Q. I will show you a pamphlet called "Political Education the Ultimate Aim," published by the International Publishers, New York, copyright 1935, and ask you if you are familiar with that?

A. (Examining pamphlet) I am.

Q. Was this published, distributed and circulated by the Communist Party? A. It was. [799]

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

(The pamphlet referred to was received in evidence and marked Government's Exhibit No. 192.)

Mr. Del Guercio: If the Court please, I now offer in evidence a certified copy of the Certificate of Incorporation, for the year 1936, of the F-A Printing Corp., under the seal of the Secretary of State of the State of New York, and ask that it be

(Testimony of Howard Rushmore.)

admitted in evidence and marked Government's Exhibit next in order.

Presiding Inspector: It may be received without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 193.)

By Mr. Del Guercio:

Q. Do you know what the "F-A Printing Corp." is?

A. That is a Finnish printing company located in the national office of the Communist Party on the fourth floor.

Q. Who actually owns and controls it?

A. That would be the Communist Party, probably what is called the Finnish Section of the Communist Party.

Mr. Del Guercio: I have here, if your Honor please, a certified copy of a certificate of incorporation of the F & D Printing Co., Inc., for the year 1935, under the seal of the Secretary of State of the state of New York, and I offer it in evidence. [800]

Presiding Inspector: It may be received without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 194.)

By Mr. Del Guercio:

Q. What is the F & D Printing Co.?

(Testimony of Howard Rushmore.)

A. That is an abbreviation for the Freiheit Daily Worker.

Q. What kind of a corporation is that?

A. The Freiheit is a Communist daily newspaper printed in Yiddish. The Daily Worker is the official organ of the Communist Party.

Q. Is the F & D Printing Co. owned and controlled by the Communist Party? A. It is.

Q. On the Certificate of Incorporation, on the third page thereof, appears this:

"The office of the corporation is to be located in the Borough of Manhattan, City, County and State of New York."

And then it gives an address, 35 East 12th Street, New York City. What address is that?

A. That is the national headquarters of the Communist Party.

Mr. Del Guercio: If the Court please, I have three documents here I would like to introduce in evidence. The first one is a certified copy of a Certificate of Incorporation of the Prompt Press, Inc., for the year 1934. [801].

The second is a certified copy of a Certificate of Incorporation for the Daily Publishing Co., Inc., for the year 1939.

The third is a certified copy of a Certificate of Incorporation for the Freedom of the Press Co., Inc., for the year 1940.

All three documents are under the seal of the Secretary of State of the State of New York.

I ask that they be received.

(Testimony of Howard Rushmore.)

Presiding Inspector: They will be received without objection.

(The documents referred to were received in evidence and marked Government's Exhibits 195, 196 and 197.)

By Mr. Del Guercio:

Q. Do you know what the Prompt Press, Inc., is?

A. That is a print shop located near the national office of the Communist Party.

Q. Is it owned and controlled by the Communist Party? A. It is.

Q. Are you familiar with the Freedom of the Press Co., Inc.?

A. Not personally. That is an incorporation set up by the Daily Workers after I left the paper.

Q. How about the Daily Publishing Co., Inc.?

A. Yes; that is a legal maneuver in which to escape payment [802] of a criminal libel action against the Daily Worker. They changed the corporation name and papers while I was still there.

Q. You testified this morning that during all of the time that you were on the staff of the Daily Worker the alien here, Harry Bridges, was given extraordinary treatment by the Daily Worker, is that correct?

A. Mr. Bridges was given unusual favorable treatment by the Daily Worker while I was there.

Q. Over what period of time was that?

A. That included the period of time I was on the Young Workers and on the Daily Worker; approximately four years.

(Testimony of Howard Rushmore.)

Q. In your experience had any non-communist person ever been given such favorable treatment by the Daily Worker and the Sunday Worker?

Mr. Grossman: We object to the question as assuming something not in evidence.

Mr. Del Guercio: If he knows.

Presiding Inspector: He is asking for first, the fact; and, second, his opinion about it.

Mr. Grossman: That assumes something not in evidence.

Presiding Inspector: Of course other people were treated some way by the Daily Worker, and he wants to know whether those people were given such favorable treatment.

Mr. Grossman: It carries with it an implication which, [803] perhaps, your Honor doesn't see.

Presiding Inspector: I do not think there is any implication there. However, we will consider that matter if there is any.

The Witness: Shall I answer?

Presiding Inspector: Yes.

A. No person who deviated from the Party line, or who disagreed with the Party line, would be given consistent favorable treatment.

I can cite a couple of cases. One is President Roosevelt, who was called a Fascist, anti-Semitic, and a lot of other names, around 1936, and then they switched to supporting him in the election; and then, that is, about 1939, now, they are calling him a Fascist again.

I could name a number of other very prominent

(Testimony of Howard Rushmore.)

people who, at one time or another, for a period of several years, supported the Communist Party, but to have that consistent support seems to indicate that that person is in the high regard of the editors of the paper.

By Mr. Del Guercio:

Q. What were your activities directed to during your membership in the Communist Party, Mr. Rushmore?

A. My major activity was along journalistic lines, newspaper work, writing.

Q. Did you know William Hinckley, who is National [804] Chairman of the Youth Congress?

A. I did.

Q. Was he a member of the Communist Party, or of the Young Communist League?

A. I don't know of my own knowledge about that.

Q. Did you ever attend any meetings with the Political Bureau of the Young Communist League?

A. I attended one meeting briefly, one time, in the spring of 1936.

Q. What was discussed at that particular meeting?

A. I wasn't in on the general discussions. They allowed only very high officials of the Young Communist League at these Political Bureau meetings. They called me in to discuss a question dealing with a pamphlet they planned to get out and on which they wanted me to help write it, and I was called

(Testimony of Howard Rushmore.)

in to discuss the pamphlet and left as soon as I had finished. [805]

Q. During your membership in the Communist Party did you ever meet Clarence Hathaway?

A. Yes, I knew Mr. Hathaway very well.

Q. Was he a member of the Communist Party?

A. He is not now.

Q. Was he at the time? A. He was.

Q. And I believe you testified that Roy Hudson was a member of the Communist Party?

A. He is a member of the Political Bureau of the Communist Party, the Central Committee, I am sure of that.

Q. Do you know Al Laanon, L-a-n-n-o-n?

A. Yes, I know him to be one of—what they called the commissars of the waterfront, in other words, one of the Communist Party leaders on the New York waterfront.

Q. A member of the Communist Party?

A. Yes, naturally.

Q. Do you know Joseph Curran, C-u-r-r-a-n?

A. I have met Mr. Curran briefly in my newspaper work for the Daily Worker; I don't know him personally.

Q. Do you know him to be a member of the Communist Party?

A. I have heard he is a member of the Communist Party.

Q. Is that his true name? [806]

A. As far as I know.

Q. Do you know Ella Reeve Bloor?

(Testimony of Howard Rushmore.)

A. I do.

Q. Who is she?

A. She is a member of the Central Committee of the Communist Party, probably their most active woman leader.

Mr. Del Guercio: You may cross examine.

Mr. Gladstein: May we have a short recess now?

Mr. Del Guercio: May we have a short recess now?

Presiding Inspector: Yes; you seem to be in agreement on that.

(Whereupon, a short recess was taken.)

Presiding Inspector: All right, Mr. Gladstein.

Mr. Gladstein: Mr. Grossman will conduct the cross examination.

Cross Examination

By Mr. Grossman:

Q. Mr. Rushmore, in the latter part of your testimony you were referring to President Roosevelt and his treatment in the Daily Worker. Would it be correct to state that during certain periods while you were on the Daily Worker staff President Roosevelt was treated as if he were a sacred cow, but during other periods he was attacked bitterly and seriously?

A. That is what I said, in effect.

Q. Yes. What period was it? What periods were there during which President Roosevelt was treated carefully and [807] like a sacred cow?

Mr. Del Guercio: Just a minute, your Honor.

(Testimony of Howard Rushmore.)

I object to the remark of counsel about the President being treated in that manner.

Presiding Inspector: I will take it. Go ahead. You opened the door.

A. During the year '37—I can speak of that, having worked there most of that year—and the early part of '38. However, there was rather a cautious approach, pretty enthusiastic support, yet criticism at frequent times of various policies of the President and of the Administration. I wouldn't classify him as a sacred cow at that time.

By Mr. Grossman:

Q. What would you say was the attitude toward John L. Lewis during the period that you worked on the Daily Worker?

A. The period that I worked there the attitude toward John L. Lewis was pretty much of favorable treatment throughout.

Q. During what period would that be?

A. Well, that would be '37, '38 and '39.

Q. What would you say was the attitude toward Father Divine during the time that you worked on the Daily Worker?

A. They had sort of broken away from Father Divine when I came on there. They supported him. I think, one year and he got his followers to march in a May Day parade, and then they had some bickering. I don't know what happened [808] there, whether the Father wanted to take over the Communist Party or vice versa, but I do not know.

(Testimony of Howard Rushmore.)

there was a break there and no longer a support of that particular movement there in Harlem.

Q. But there was a time when the Daily Worker definitely and always supported Father Divine?

A. I couldn't say that.

Q. You mean you weren't working on the staff at that time? A. No.

Q. What was the attitude toward the C.I.O. when you were working on the Daily Worker?

A. The attitude toward the C.I.O. was of support throughout the time I was there.

Q. Unfailing support?

A. Toward the—you mean the organization as such?

Q. Yes. A. I would say that; yes, sir.

Q. What was the attitude toward the President's wife during the time that you worked on the Daily Worker?

A. Well, I remember both favorable and unfavorable criticism of Mrs. Roosevelt.

Q. Do you remember any particular times when the attitude toward her was entirely favorable, no matter what she did? [809]

A. No, I don't think there was any such time.

Q. What was the attitude of the Daily Worker toward Mayor LaGuardia?

A. That has jumped rapidly from one extreme to the other.

Q. Can you give me the period or periods during which he was treated very carefully and delicately and always praised?

(Testimony of Howard Rushmore.)

A. My guess would be in '37, and maybe not throughout the year, because very often there would be a sharp attack on various policies of LaGuardia even though in general they were supporting him.

Q. Do you remember the attitude of the Daily Worker toward Heywood Broun?

A. The attitude toward Broun varied too. Broun at one time was an active Socialist. He was very cordially hated by the Communists and even after he formed the Newspaper Guild he was not entirely liked by the Communist Party. There was only a period of, say, two years that I can recollect where generally they supported Broun's policies.

Q. During those two years was there any criticism of Heywood Broun?

A. I don't recall whether there was or not.

Q. Were there any Congressmen or Senators, that is, of the National Congress, who were treated by the Daily Worker as you state John L. Lewis was treated, for example? [810]

A. Well, I stated that Lewis was not treated consistently favorably. Do you that, or just what do you mean by that?

Q. Didn't you state during the period you were on the Daily Worker he was treated favorably?

A. That Lewis was?

Q. Yes.

A. I said generally, although there could have been criticism; there probably was criticism here or there.

(Testimony of Howard Rushmore.)

Q. Do you remember any Congressmen or Senators who were treated very favorably by the Daily Worker?

A. You mean the sacred cow category?

Q. Yes, in other words, who seemed to be treated unusually well?

A. Well, I can think of two. One of them, to my knowledge, is a member of the Communist Party, Jerry O'Connell of Montana.

Q. Who is the second?

A. A Congressman named Bernard of Minnesota.

Q. What about Maverick?

A. What about Maverick?

Q. Yes.

A. As I recollect it, there was also this question of criticising Maverick. At the time he wrote a book which they liked very much and then he changed certain of his policies and they criticised him quite a bit about it.

Q. Would you say, though, that even with respect to a [811] man like Maverick there were times when he was treated like a sacred cow, in other words, even when he should have been criticised he was not?

A. Not a fellow like Maverick. They would criticise him if they thought he had deviated from the party line.

Q. What would you say was the attitude toward the American Labor Party?

A. That also varied. For a time they supported

(Testimony of Howard Rushmore.)

it completely. Then when the right wing decided to kick out the Communists, reduce the Communists, naturally, the Daily Worker did not support them; in fact, they supported the left wing group which was set up.

Q. During what period did they support them unqualifiedly?

A. I would say during the '36 election it was virtually unqualified; I am not sure it was completely so though.

Q. Would you say the attitude of the Daily Worker toward the American Youth Congress was unusually friendly?

A. Completely; it has always been.

Q. Can you think of any other organizations or federations generally similar to the American Youth Congress that were treated in the same way?

A. Well, virtually all the Communist Party front groups such as the American League for Peace and Democracy which is now the American Peace Mobilization; the International Labor Defense, the organizations such as—oh, some of the pro- [812] fessional, like the Lawyers Guild, and a number of others. I can list them at quite some length if you want.

Q. I wish you would, please.

A. All right; the American Students Union, Friends of the Soviet Union; of course, going back in the early days of the Students movement, the National Students League.

Q. Consumers Union?

(Testimony of Howard Rushmore.)

A. Consumers Union, I would say received favorable treatment, yes.,

Q. I mean unduly favorable, indicated they were giving the treatment because they felt it was Communist dominated, rather than because they deserved it?

A. I was told on one occasion by one of the Daily Worker Editors to reprint Consumer Union reports whenever possible. They would always give us permission.

Q. You understand what I mean, Mr. Rushmore. I mean an organization who was not treated fairly in the sense that you were merely reporting favorable things about it, and an organization that was treated in the sense that you reported unfavorable matter in the sense that the organization was Communist controlled. Would you say the Consumers Union was or was not in that category?

A. I would say it was, as I recollect.

Q. What about the Committee for the foreign born?

A. That was also a Communist front group and supported as such by the Daily Worker and the Communist Party. [813]

Q. Can you think of any other organizations that would fall in that category? League of Women Shoppers?

A. I recollect they did receive some publicity. I am not very familiar with that particular organization. I understood it was one of the Party groups; I was not sure about that.

(Testimony of Howard Rushmore.)

Q. Do you remember the attitude of the Daily Workers toward Governor Olson?

A. I know they supported him in the election campaign. I don't know how enthusiastically, though. I think the Peoples World was set up at that time, if I am not mistaken, and that probably was the main support of him.

Q. What about Labor's Non-Partisan League?

A. Labor's Non-Partisan League? That depended upon the individuals in the particular vicinities and communities who were heads or officials of the Labor's Non-Partisan League.

Q. Mr. Rushmore, are you now a member of any union?

A. I am a member of the American Newspaper Guild; I have been since 1935.

Q. Are you employed at the present time?

A. I am.

Q. And by whom?

A. I am employed by the New York Journal as a reporter.

Q. How long have you been employed by them?

[814]

A. Since August, 1940.

Q. And before August, 1940, were you employed?

A. I was engaged in free lance writing.

Q. For which publications?

A. Oh, a number of them; American Magazine, Reader's Digest, American Mercury, Christian Herald Magazine.

(Testimony of Howard Rushmore.)

Q. Did you run any articles on Communism?

A. Quite a few, yes.

Q. Did you write most of your articles on Communism?

A. Well, I wrote—yes, I would say most of them were on Communism.

Q. Did you write any articles on the CIO?

A. No.

Q. Did you write any articles on the functioning of Communists in the trade unions?

A. I indicated in one article in the American Magazine that the role of the Communist in the trade union was to destroy trade unionism, but I didn't make that an article; just part of an excerpt.

Q. Did you support yourself between the time that you left the Daily Worker and the time you got your present job by this free lance writing?

A. I did.

Q. Solely by that?

A. Solely by that. [815]

Q. Since the time that you left the Daily Worker have you had any other income than was obtained by this free lance writing and obtained by your present employment? When I say "your present employment" I mean on the newspaper.

A. Yes, I understand. No, that was my only source of income, those two things.

Q. Did you testify before the Dies Committee?

A. I did in one private hearing.

(Testimony of Howard Rushmore.)

Q. And where was that held?

A. Held in New York. They asked me to testify on one particular subject in a private hearing which was not open to the public.

Q. When was that?

A. That was in the fall of 1940.

Q. And what was the subject?

A. I was, as I understand it—at this private hearing I was told not to reveal what I testified to so I certainly couldn't do that here.

Q. Well, the Examiner will have to rule whether you can or can't.

A. I was under oath and I was told not to.

Mr. Grossman: May we have a ruling, your Honor, as to whether there is any privilege attaching to what the subject matter was of that hearing?

Presiding Inspector: What have you to say about that, Mr. Del Guercio? [816]

Mr. Del Guercio: I don't believe the witness should be compelled to reveal what he testified. He was under oath at that time. He took an oath not to reveal what testimony he gave. It has not been made public; it has not appeared in any of the issues of this case.

Presiding Inspector: Well, it doesn't seem as though it were material. It has not been shown.

Mr. Grossman (interposing): I don't know whether it is or isn't.

(Testimony of Howard Rushmore.)

By Mr. Grossman:

Q. Did this subject matter have anything to do with Harry Bridges. A. It did not.

Q. Did it have anything to do with the trade unions? A. It did not.

Q. Did it have anything to do with the CIO?

A. It did not.

Q. Have you ever given any affidavits to the Dies Committee? A. I have not.

Q. What were the circumstances surrounding your leaving the Communist Party?

A. I made that pretty much a matter of public record in my various writings. As I indicated this morning, the hypocrisy and the deceit of the Party finally caused me to recognize that what I thought it was was completely another thing. [817] and I decided to leave them as enthusiastically as I joined them. I mean enthusiastically as before I was leaving. I was very glad to leave the Communist Party.

Q. Well, then, am I to understand that you withdrew rather than being expelled?

A. No; I sent a letter of resignation to the Editor of the Daily Worker after the incident involved around a movie review which is pretty much a matter of public record now, and I had no interest in whether they expelled me or what they did.

Q. You mean you resigned from the Daily Worker staff or from the Communist Party?

A. Well, both, effective both, resigned from the Daily Worker staff under such circumstances, and

(Testimony of Howard Rushmore.)

publicly attacked them; I think they expelled me. They had some statements in their paper later on about the whole thing.

Q. What was the issue?

A. This particular issue involved a movie, "Gone With the Wind" which I was asked to call a Fascist picture and I refused to do that, particularly since the editors who asked me to do that had not seen the picture. I asked them in all fairness to see the movie, to then judge whether or not I was wrong or right. They refused and ordered a blanket review, calling it Fascist, anti-Negro and everything else, when I didn't think it was that.

[818]

Q. You mean the difference between you and the Communist Party was solely the difference as to an evaluation of the movie "Gone With the Wind"?

A. Certainly not. That was sort of a combination of a lot of differences which I had had, and had been growing over a period of a year or two on the Worker.

Q. Did you differ—when I say "differ" I mean the different attitudes on your part and on the part of the Daily Worker toward the picture "Gone With the Wind" reflect any political disagreement?

A. I would say that was the main disagreement, was a political disagreement.

Q. I mean, did this incident over the criticism of that movie reflect this disagreement?

(Testimony of Howard Rushmore.)

A. Yes, I would say so.

Q. Well, could you express in simple language, then, what this political disagreement was which your criticism of the movie brought out?

A. I would say that basically it was the freedom of press and speech which I had thought of all people the Communists encouraged, and I had found through actual experience they discourage it; that reflected that, generally speaking.

Q. Was there any other difference which your attitude toward the movie discouraged?

A. If you are hinting at the Negro angle, no.

Q. I am not hinting. I wanted to know if there were [819] any fundamental reasons for the disagreement? Very frankly, it appears to me it would be very strange that you—

Mr. Del Guercio: (Interposing) We are not concerned with what it appears to you.

Presiding Inspector: Let's hear the question; then object. Go ahead.

By Mr. Grossman:

Q. I am concerned, Mr. Rushmore, with this: It would seem off-hand that a mere disagreement in reviewing a movie would not be such for one to take such very serious steps, or, perhaps for an organization to take such serious steps.

Mr. Del Guercio: Just a minute.

Presiding Inspector: Finish the question.

By Mr. Grossman:

Q. Therefore, I am concerned with whether in

(Testimony of Howard Rushmore.)

your differing opinions with respect to this movie, there may not have been involved some diametrically opposed views on some political questions?

Presiding Inspector: Don't answer that.

Mr. Del Guercio: I object, your Honor, to the form of the question.

Presiding Inspector: I think the form is very objectionable. [820]

By Mr. Grossman:

Q. Now, is your answer still the same, Mr. Rushmore, to the effect that the only political difference which the reviewing of this movie brought to life, was a difference on freedom of speech?

Mr. Del Guercio: Just a minute, if your Honor please. This witness has already testified that there were other differences.

Presiding Inspector: I think that is so. He said this was a culmination.

By Mr. Grossman:

Q. What are the other differences?

Mr. Del Guercio: If your Honor please, I object to that, too. He has already given his other differences. If counsel is paying no attention that is his hard luck.

Mr. Grossman: Let us assume that I wasn't paying attention, I still have a right to get it clear.

Presiding Inspector: Sure, but not more than once. He already told you that the principle of hypocrisy and deceit had influenced him; so he told you something.

(Testimony of Howard Rushmore.)

Mr. Grossman: But I don't know that that is all, and he hasn't so indicated:

Presiding Inspector: Ask him if it is all.

Mr. Grossman: I am asking him if there is any other difference.

Presiding Inspector: I didn't understand you to ask that. [821]

By Mr. Grossman:

Q. Were there any other political differences between yourself and the Communist Party at the time of this review?

A. Those are the fundamental differences. When I speak of suppression of freedom of speech, and the continuance of hypocritical and deceiving policies, that covers a wide area and that is the fundamental reason for my leaving them.

Q. Does this represent all of them—I mean, all of those you consider important?

A. If you want to go into minor details—the fact that Hitler who, I thought, had been the only party fighting Fascism, but then I found out they had joined it, and a few things like that, entered into it.

Q. I am not concerned with those disagreements that are to you minor. I am concerned with all those that are important to you. Have you stated all those that were important bases of disagreement at that time between you and the Communist Party?

A. I would say so; yes.

(Testimony of Howard Rushmore.)

Q. Would it be correct then that you agreed with the Communist Party, at the time you left the Communist Party, on the question of force and violence, and the use of it to overthrow, or the possible use of it to overthrow a capitalist government?

A. It would not.

Mr. Grossman: May I have the question and answer read, [822] please?

Presiding Inspector: Wasn't that a complete answer?

Mr. Grossman: I think it was, but I would like to have the question read.

Presiding Inspector: The answer is directly as you asked.

Mr. Grossman: I want the question read to refresh my memory, the entire question, and the implication of the answer.

Presiding Inspector: I didn't understand that you asked for the question to be read.

Mr. Grossman: Yes.

Presiding Inspector: I didn't so understand you.

(The question and answer referred to were read by the reporter as above recorded.)

By Mr. Grossman:

Q. Will you explain then why you did not state that was one of the major disagreements between you and the Communist Party?

A. I certainly think that point is covered when you speak of freedom of speech, and things like that.

(Testimony of Howard Rushmore.)

You cannot have force and violence and freedom of speech at the same time.

Q. When did you first make up your mind that the Communist Party had views on force and violence with which you were not in agreement?

A. I had debated that for a considerable period of time. I might say that in my work as a newspaper man I didn't see [823] some of their more intricate operations. But when I was in Iowa I saw one instance of force and violence, namely, a strike called by the Communist Party purely for publicity's sake, and in which some people were injured; unnecessarily, I thought, and I objected to that, and similar things such as that that I encountered.

Q. When I refer to the overthrow of the government through force and violence, Mr. Rushmore, I refer to making some fundamental change in the economic or political system through the use of force and violence. Did you consider these—

Mr. Del Guercio: (Interposing) Just a minute.

Presiding Inspector: Let him finish his question.

By Mr. Grossman:

Q. (Continuing) Did you consider these examples you have just given, of violence taking place during a strike, examples of force and violence being used to change the economic or political system?

Mr. Del Guercio: Just a minute. I object to

(Testimony of Howard Rushmore.)

the question. Counsel is attempting to define, give his own definition of the use of force and violence.

Presiding Inspector: I will allow the question.

A. I would say those were some of the—

Presiding Inspector: We will allow wide latitude on cross examination.

A. I would say that was an example of some of the [824] preliminary steps that they were taking toward the ultimate goal.

By Mr. Grossman:

Q. Then would this be a correct statement of your views at the time you were a member of the Communist Party: That you believed with the Communist Party on the question of force and violence to change the economic or political system until you saw certain examples of violence in a strike and at that time you date your beginning to disagree with the Communist Party on the issue of force and violence?

Mr. Del Guercio: Just a minute—

Presiding Inspector: If he can answer.

A. I would say that I completely disagreed with them on the question of force and violence as advocated in some of the Russian literature, the literature of Lenin and Stalin, and I always thought that was the business of Russia; but as American born, being born in an American community, I couldn't see such a transition in America, and I doubted if it could, and I didn't think the Communist Party had to go through that method, and

(Testimony of Howard Rushmore.)

I didn't think they would until I encountered these other examples and got in New York, and got into the major league, so to speak, and saw what they really wanted to do.

By Mr. Grossman:

Q. When did you first reach the conclusion, which you indicated you had reached, that the Communist Party in this [825] country advocated the same things that they advocated in Russia before the Revolution?

A. I never reached any conclusion on that. I had experiences there on the Daily Worker, I would say in the latter part of 1938, and I became aware that there were a number of OGPU agents there, obviously people not only of foreign birth, but of foreign ideas; and I found out they were the actual leaders of the Communist Party. That worried me quite a bit because I didn't believe that the American Radical Party should be headed by foreign-born people, particularly of that type.

Q. Returning to the question of force and violence, Mr. Rushmore, did you ever, during the entire time that you were in the Communist Party, believe in the overthrow of the United States Government through force and violence?

A. I will say to that question, "No."

Q. And for what period, during which you were in the Communist Party, did you feel that the Communist Party of the United States equally did not believe in the overthrow of the United States Government through force and violence?

(Testimony of Howard Rushmore.)

Mr. Del Guercio: Just a minute!

Presiding Inspector: Is that material?

Mr. Grossman: I think it is.

Presiding Inspector: Is it material what his belief was?

Mr. Grossman: In the first place, I think it is material whether this particular witness believed in the overthrow of [826] the United States Government through force and violence. It is also material as to whether, during the time that he was in the Communist Party, he believed in the same doctrines the Communist Party believed in.

Presiding Inspector: I will allow it. It may be rather remotely material.

Mr. Del Guercio: May I be heard?

Presiding Inspector: Yes.

Mr. Del Guercio: I don't believe that it is material for this reason: First of all, we are not charging this witness with believing in the advocacy of the overthrow of the Government of the United States by force and violence. We are not charging the alien here with believing in the use of force and violence in the overthrowing of the Government of the United States. We are charging the alien with belonging to an organization, affiliated to an organization that believes in and advocates and teaches the overthrow of the Government by force and violence.

Presiding Inspector: This witness has been shown to be a member of the Communist Party and on that account I think I will allow this on

(Testimony of Howard Rushmore.)

cross examination. I am not sure that it has much materiality.

He may answer the question.

The Witness: May I have the question read?

(The question referred to was read by the reporter as above recorded.) [827]

Presiding Inspector: It is of very little materiality as to what he believes the Party or the organization that he belongs to believes in.

Mr. Del Guercio: There is no evidence in the record that the organization seeks at any time to——

Presiding Inspector: I say, it is of very little materiality.

Mr. Grossman: It strikes me as very strange that after Mr. Del Guercio has this witness identify so many different Communist documents theoretically, obviously, and this witness has stated so positively that he has held positions of importance in the Communist Party, that he could fail to appreciate and clearly understand at all times during which he held these important positions, if he did hold them, what the doctrines of the Communist Party were. It is quite obvious that the theory of the Government is that the Communist Party did hold these views on force and violence; yet this witness attempts to give us the impression during this entire period he did not hold the same doctrines of force and violence. As a matter of fact, his explanation is, I will say, unconvincing to me, con-

(Testimony of Howard Rushmore.)

sidering his purported familiarity with these documents. That is why I am pressing it further because I frankly don't know what the answer is; whether he did believe in the doctrines up to now, and perhaps still does; or whether he disagreed with such doctrines during the entire time that he was in the Communist Party; or whether perhaps he is not telling the [828] truth under oath because he thinks it will have some effect on the credibility we will give his testimony here.

Presiding Inspector: I will take the answer if he can answer it.

A. At the time I went to New York to work for the Communist Party as such it was a period when they began to advocate Americanism, and that was one of the reasons I was brought there. I found out later. While I was there in an official capacity I agreed pretty thoroughly with the Communist Party on their general principles, as far as I knew them, until I found out differently, on trade unionism, on race discrimination, and a lot of the more theoretical aspects of the Communist Party program.

As far as identifying these particular pamphlets. I have seen these pamphlets around a number of the Party book stores, and the Daily Worker. We had access to a lot of literature that was given to us to read.

I do not think that I said that I had read all of these particular pamphlets. I have seen them and some of them I have read.

(Testimony of Howard Rushmore.)

By Mr. Grossman:

Q. When first did you read the pamphlet "Foundations of Leninism?"

A. Will you show the pamphlet to me, please?

Q. (Handing pamphlet to witness) [829]

A. I think I read that late in 1934 or early 1935.

Q. Did you read it through?

A. I don't think I did.

Q. When did you first read the pamphlet or the document, "State and Revolution?"

A. I think I read that in 1935.

Q. When did you first read the document, "The Proletarian Revolution and Renegade Kautsky?"

A. I don't ever remember reading that. It was probably in the Lenin Library, and I have seen it sold in book stores.

Q. When did you first read the pamphlet, "Why Communism?"

A. What pamphlet?

Q. "Why Communism?"

Mr. Del Guercio: I didn't show him that.

The Witness: I wasn't shown that.

By Mr. Grossman:

Q. Did you read the pamphlet written by a man named Peters—I have forgotten the name—do you know the one I am referring to?

A. Yes—"Manual on Organization."

Q. When did you first read that?

A. I read portions of that in the spring of 1937, particularly those portions dealing with the unit organizations.

(Testimony of Howard Rushmore.)

Q. At any time have you ever made reports on your [830] activity within the Communist Party, or within any union, to the FBI?

A. I have not. You mean while I was in the Communist Party or while I was in a union?

Q. Yes.

A. I have not.

Q. Have you made reports to any organization of your activities within the Communist Party or any union?

A. While I was in either?

Q. Yes.

A. No, I have not.

Q. When first were you advised that you were going to be a witness in this case?

A. Approximately a month ago.

Q. About a month ago?

A. That is right.

Q. Would you say that the American Youth Congress was generally known as a Communist organization in 1935?

A. I wouldn't say it was as well known then as it is now as a Communist front organization.

Q. Would you say that it is generally known now as a Communist organization?

A. I would say so.

Q. Do you recall any period during which the wife of the President of the United States was connected in any way with [831] the American Youth Congress?

A. She spoke at one or two of their meetings. I didn't cover the meeting and I don't remember when it was.

(Testimony of Howard Rushmore.)

Q. Did she speak during the period when you stated it was generally known that the American Youth Congress was a Communist organization?

A. If you will give me the date when she spoke I will answer.

Q. Do you remember that she spoke?

A. Yes, but not the date. If she spoke in 1935 it wasn't as well known as a Communist front organization as now.

Q. Was it then known as a Communist organization—and when I say “known”, I mean outside the Communist Party?

A. Certainly; but not as widely exposed as a Communist front organization as it has been in the last year or two.

Q. Would you say intelligent people, intelligent in the sense that they knew about political organizations, and organizations like the American Youth Congress, knew in 1935 that the American Youth Congress was a Communist organization?

Mr. Del Guercio: I object to the form of the question.

Presiding Inspector: If he can answer the question, all right.

The Witness: May I have the question again?

(The question referred to was read by the reporter as above recorded.) [832]

A. That is pretty involved.

Presiding Inspector: That is indefinite.

By Mr. Grossman:

Q. What did you mean when you said it was

(Testimony of Howard Rushmore.)

generally known as a Communist organization in 1935?

A. I didn't say it was generally known; I said it was widely known, I believe, now.

Q. What did you mean when you said it was widely known as a Communist organization in 1935?

A. I say it is widely known now because of being exposed by a number of newspapers and magazines and—

Q. (Interposing) We are endeavoring to—

Mr. Del Guercio: (Interposing) Just a minute. The witness is answering your question.

By Mr. Grossman:

Q. What do you mean when you said in 1935 it was widely known that the American Youth Congress was a Communist organization?

A. I did not say in 1935 it was widely known as a Communist organization.

Mr. Grossman: I wonder if we could have the reporter, without too much trouble, go back to that portion of the testimony?

Presiding Inspector: No, no; we will not stop to go back.

By Mr. Grossman: [833]

Q. What did you say with respect to 1935, with respect to whether the American Youth Congress was known as a Communist organization?

A. I said in 1935 I didn't think it was as widely known as a Communist organization as it is now. However, there had been a number of articles,

(Testimony of Howard Rushmore.)

magazine articles, newspaper articles, stories at that time in a number of papers, and magazines, accusing it of being a Communist front organization. The Congress was held in Detroit, I think, in 1935, and I know at that time there was a great deal of accusation on all sides as to its communistic policy.

Q. Do you remember where that convention was held you referred to?

A. The 1935 convention, as I recollect, was held in Detroit.

Q. Do you remember who addressed that convention? A. No, I don't.

Q. Do you remember whether Governor Murphy addressed that convention? A. I do not.

Mr. Grossman: No further questions.

Presiding Inspector: Anything further, Mr. Del Guercio?

Mr. Del Guercio: May I have a second?

Presiding Inspector: Yes.

Mr. Del Guercio: No further questions, your Honor. [834]

Presiding Inspector: You are excused.

Mr. Del Guercio: The witness is excused?

Presiding Inspector: Yes.

(Witness excused.)

Mr. Del Guercio: We have another witness, your Honor.

Presiding Inspector: You had better call him.

Mr. Del Guercio: A few minutes ago I told him to go home.

Presiding Inspector: Then you won't call him. Do you want to recess until tomorrow morning?

Mr. Del Guercio: If you please.

Presiding Inspector: Ten o'clock tomorrow morning.

(Whereupon, at 3:55 P. M., an adjournment was taken until Wednesday, April 16, 1941, at 10:00 A. M.) [835]

Court Room 276,
Federal Building,
San Francisco, California.

April 16, 1941.

Met, pursuant to adjournment, at 10:00 A.M. [836]

PROCEEDINGS

Presiding Inspector: All right Mr. Del Guercio, will you resume?

Mr. Del Guercio: Will you take the stand, Mr. Diner?

Presiding Inspector: Stand up, please, raise your right hand and be sworn.

SAM DINER

called as a witness on behalf of the Government, having been first duly sworn, testified as follows:

(Testimony of Sam Diner.)

Direct Examination

By Mr. Del Guercio:

Q. What is your name?

A. Sam Diner—D-i-n-e-r.

Q. Where do you reside? A. San Rafael.

Q. What is your present occupation?

A. I run a ladies' apparel shop.

Q. Have you ever been a member of the Communist Party? A. I was.

Q. When did you first join? A. 1931.

Q. Where? A. San Francisco.

Q. And for how long a period did you remain a member of the Communist Party?

A. Until September 1936—1936 or 1937; I don't [837] remember exactly.

Q. And during the time that you were a member of the Communist Party were you assigned any tasks by the Communist Party? A. I was.

Q. And what were those tasks, beginning from the start?

A. My major objective was to organize the unorganized workers in our industry.

Q. And what industry was that?

A. The Ladies' Garment Workers.

Q. Were you a member of the Ladies' Garment Workers Union at that time?

A. At that time, no.

Q. Did you later become a member of that union? A. Yes, sir.

Q. When was that? A. 1934.

(Testimony of Sam Dineen)

Q. 1934. Were you a member of the Communist Party at the time of the 1934 strike?

A. I was.

Q. Were you given any assignment by the Communist Party in connection with any activity in the 1934 strike?

A. No.

Q. Did you participate in the 1934 strike?

A. I did.

Q. And what did you do? [838]

A. Well, at that time I was a member already of the International Ladies' Garment Workers Union. My task was to see that all the workers were out of the shops to participate in the strike.

Q. Who gave you that task? Who assigned you that task to see that the—

A. (Interposing) The Union.

Q. The Union? A. Yes.

Q. As a member of the Communist Party were you given any instructions in connection with having your Union strike?

A. No, no.

Q. Did you hold any positions in the Communist Party?

A. I did.

Q. What were they?

A. I had various functions. I was a member of the Board of Directors of the School.

Q. Of the School?

A. Yes, Workers School.

Q. What kind of a school is that?

A. Well, teaching the philosophy of Marxian theory and helping to organize workers for struggle in the various unions.

(Testimony of Sam Dineen)

Q. And who gave you that assignment?

A. Well, that was the fundamental thing of the school.

Q. Well, I mean how were you appointed as instructor or [839] organizer in the school?

A. Well, the reason I was appointed at that time—the appointment came before—may I explain?

Q. Surely.

A. Before I joined the A. F. of L. Union back again I was a member of the Needle Trade Workers Industrial Union which broke away originally from the A. F. of L. At that time I was elected President of the Needle Trade Workers Industrial Union and I was told at that time by being a President of a Union that it would be a logical thing for me to be a member of the school so as to build up the prestige among the workers.

Q. Who told you that? A. Mr. Darcy.

Q. Is that Sam Darcy? A. Yes, sir.

Q. What was his position in the Communist Party?

A. He was District Organizer, District 13.

Q. And District 13 covered the San Francisco area? A. Yes, sir.

Q. Proceed. A. Yes, sir.

Q. Are you through with your—

A. (Interposing): I am through.

Q. Now, you say you were President of this International [840] Ladies' Garment Workers Union?

(Testimony of Sam Dine)

A. No; I didn't say that. I said I was President of the Needle Trades Workers Industrial Union.

Q. Was that affiliated with the American Federation of Labor? A. No.

Q. What kind of a union—

A. (Interposing): Trade Union Unity League.

Q. And that was a Communist organization, was it not? A. Supposed to be.

Q. Well, was it sponsored by the Communist Party? A. Yes, it was.

Q. And you were President of that Union?

A. Yes.

Q. Now, during the 1934 strike here in San Francisco were you Treasurer of the Emergency Defense Committee? A. I was.

Q. What kind of a committee was that?

A. To defend civil liberty rights.

Q. Who organized it?

A. I don't know who organized it.

Q. How did you become the Treasurer of it?

A. I was told by Darcy.

Q. Is that the same Sam Darcy?

A. Yes. [841]

Q. What did he tell you? A. What?

Q. What did Sam Darcy tell you?

A. He told me that I was supposed to take over the office and be the Treasurer of this Defense Committee.

Q. And were you given any funds?

A. No, sir—funds for what?

Q. To carry on your work?

(Testimony of Sam Diner.)

A. The funds were there when I came in.

Q. The funds were where, who had them?

A. In the bank, I guess.

Q. Were they turned over to you?

A. Yes.

Q. You mean that you had access to the funds that were in the bank?

A. I had.

Q. How much money was in there?

A. Oh, I don't remember; a few hundred dollars, I guess.

Q. And was the money there placed in the bank in your name?

A. Yes.

Q. Who placed it there, do you know?

A. I don't know who placed it there, but I signed.

Q. Who told you that the money was in the bank?

A. The Committee that was in charge before me.

[842]

Q. Had there been a prior Defense Committee?

A. Yes.

Q. Who were some of the members of the prior Committee?

A. Some of them, I didn't know at all.

Q. Do you know any of them?

A. Yes, I do.

Q. What are their names?

A. One was a man by the name of Falchoff.

The Reporter: Spell it, please.

The Witness: I don't know how to spell it.

(Testimony of Sam Diner.)

By Mr. Del Guercio:

Q. F-a-l-c-h-i-o-f-f?

A. Maybe that is the way; I don't know how to spell his name.

Q. Do you know any others?

A. A fellow by the name of Wilson.

Q. Is that the—what Wilson is that, what did he do at that time?

A. He was supposed to take care of the office at that time.

Q. Where did you have your offices?

A. The original office we had was at 6th and Market, where the International Labor Defense was. Then we moved to 7th and Market, to a private office.

Q. Did you have any instructions as to whether or not [843] you should work with the ILD?

A. Well, they were about the same. I mean not exactly instructions, but we consulted one another pertaining for what purpose the money should be used.

Q. Who in the ILD did you consult with?

A. Elaine Black.

Q. Who else?

A. Wilson, I just mentioned, and Falchloff.

Q. Did you consult with any attorney members of the ILD?

A. Well, whenever it was necessary to use an attorney we consulted with an attorney.

Q. Who of the attorneys did you consult?

(Testimony of Sam Diner.)

A. Mr. Anderson.

Q. Mr. Anderson? A. Yes.

Q. Who is Elaine Black?

A. She was the Secretary of the ILD at that time. I don't know what she is now.

Q. Was she also then a member of the Communist Party? A. She was.

Q. And who is Anderson, Leo Anderson?

A. He is an attorney.

Q. Was he also a member of the Communist Party? A. I don't know.

Q. I mean George Anderson, is that not right?

[844]

A. Yes.

Q. Will you state just what you did as Treasurer of the Emergency Defense Committee?

A. I was supposed to bail out all those arrested, to see that necessary funds were available for that emergency fund.

Q. Anything else?

A. To secure legal advice from attorneys if it was necessary to defend the workers.

Q. Were you to go anywhere else than to the ILD to secure attorneys for the persons that were arrested?

A. As I said before, both Committees worked in conjunction with one another.

Q. Both Committees—what was the other Committee?

A. The ILD and the Civil Liberties Defense Committee.

(Testimony of Sam Diner.)

Q. They were working together, you say?

A. Yes.

Q. And how much money did you expend during the time that you were treasurer?

A. I judge we handled about \$10,000 or \$12,000.

Q. Well, now, you originally had \$300, you say, that was made available to you in the bank?

A. I didn't say \$300. I said a few hundred dollars. The exact amount I don't remember. [845]

Q. Well, where did you get the rest of the money?

A. From various loans, donations.

Q. Well, from what sources?

A. People that had a sympathetic attitude toward the issue involved.

Q. Did any of that money represent dues from Communist Party members?

A. No, sir.

Q. Did the ILD furnish you any money?

A. No, sir.

Q. Did Sam Darcy furnish you any money?

A. No, sir.

Q. During the time you were treasurer of this Emergency Defense Committee did you contact the Alien here, Mr. Bridges?

A. No, I didn't.

Q. Do you know him?

A. Yes, I do.

Q. Where is he?

A. Right there (Indicating).

Mr. Del Guercio: May the record show that the witness has identified Mr. Bridges?

(Testimony of Sam Diner.)

Presiding Inspector: No objection to that?

~~Mr.~~ Gladstein: No objection.

By Mr. Del Guercio:

Q. When did you first meet the Alien here?

[846]

A. Oh, I met him several times right after the general strike.

Q. Right after the general strike?

A. Yes, sir.

Q. And where was the first time you met him?

A. In the ILA office.

Q. ILA office? A. Yes.

Q. That is the International Longshoremen's Association? A. Yes, sir.

Q. And what was the occasion of that meeting?

A. Oh, just a question of visiting about trade union activity.

Q. Trade union activity in what?

A. Yes, sir.

Q. In your own union? A. Yes, sir.

Q. That was the Needle Trade Workers Union?

A. No; that was already the International Ladies' Garment Workers Union.

Q. And when was that about?

A. That was right after the strike, around 1934 or '35.

Q. When did you next meet the Alien?

A. I met him once in his house.

Q. When was that?

A. Around the same time, maybe a few months

(Testimony of Sam Diner.)

after. I [847] can't remember exactly the date, but it was between '34 and '35.

Q. Will you state the occasion for going—

A. (Interposing): The very same thing, talking over matters regarding union business.

Q. Well, did anyone send you to his house?

A. Yes, sir.

Q. Who sent you?

A. An officer of the Communist Party.

Q. Do you know which one?

A. I don't remember exactly the name, but I was told—somebody took me up; I didn't know where he lives; somebody took me up there.

Q. Well, what member of the Communist Party told you to go to Mr. Bridges' house?

A. Well, that was either Sam Darcy or Hanoff.

Q. Is that Elmer Hanoff? A. Yes, sir.

Q. Was Sam Darcy then connected with any union? A. No.

Q. Was Elmer Hanoff connected with any union? A. Not that I know.

Q. Well, why did Sam Darcy or Elmer Hanoff tell you to go to Bridges' house?

A. Well, just to meet him. We were on the verge of organizing some organized workers and I wanted to get some information from Harry.

[848]

Q. Some information from whom?

A. From Mr. Bridges.

Q. And you say you went over to Bridges' house with someone else? A. I was.

(Testimony of Sam Diner.)

Q. Do you know who that person is?

A. Yes.

Q. What is his name? A. Jeff.

Q. Jeff? Is that Jeff Goodman?

A. Yes, sir.

Q. Was he also a member of the Communist Party? A. Yes, he was.

Q. And whom did you meet when you went to Bridges' house?

A. I met his wife. He was not home at that time but he arrived later.

Q. He arrived later. And did you have any conversation with Bridges when he arrived?

A. Just about a few minutes.

Q. What did you talk about?

A. About whether he can give me some information regarding organizing certain crafts that was not organized yet.

Q. And now what kind of information regarding organizing? Was it to be a purely union activity or was it a Communist activity?

A. No, purely union activity at that time. [849]

Q. Purely union activity at that time?

A. Yes, sir.

Q. And did Mr. Bridges tell you—

A. (Interposing): He gave me some information that I asked for.

Q. You say you only talked to him about a minute and a half? A. No, a few minutes, I said.

Q. A few minutes. Five minutes?

(Testimony of Sam Diner.)

A. Well, maybe ten; more than five minutes.

Q. More than five minutes? A. Yes, sir.

Q. Approximately ten?

A. Approximately ten.

Q. Did you tell Bridges who sent you?

A. No, I didn't.

Q. Who else was present when you—

A. (Interposing): Nobody.

Q. Nobody. Was Jeff present?

A. Yes, sir.

Q. When did you next speak to Mr. Bridges?

A. I met him next at the—on Clay Street in his office.

Q. And what was the occasion of that meeting?

A. I think just a visit.

Q. Just a visit? [850] A. Yes, sir.

Q. A social visit?

A. Yes, I think a social visit.

Q. On Clay Street? You mean Mr. Bridges' home on Clay Street? Was he living there at that time?

A. No, that was his office, union office.

Q. Oh, his office. When did you next meet him?

A. Next I met him in Fresno.

Q. In Fresno. And when was that?

A. That was right after the general strike.

Q. Right after the 1934 general strike?

A. Yes, sir.

Q. And what was the occasion of that meeting?

A. I was delegate to the State Convention of the Communist Party.

(Testimony of Sam Diner.)

Q. And can you trace the time more definitely than right after the 1934 general strike?

A. Well, it was on a Sunday, some time in the fall.

Q. Sometime in the fall? A. Yes.

Q. Of what year? A. 1934.

Q. 1934. And you say that there was a convention of the Communist Party there at Fresno at that time? A. Yes, sir.

Q. Where were you living at that time? [851]

A. San Rafael.

Q. San Rafael. And how did you get down to Fresno?

A. Well, I was working at 49 Fourth Street at that time. Mr. Darcy and Mrs. Darcy called at the time when I quit at 12:30 and they took me to Fresno.

Q. You drove with Sam Darcy and his wife to Fresno? A. Yes, sir.

Q. Did you register there in a hotel at Fresno?

A. I did.

Q. What hotel did you register at?

A. I think it was the Travelers, if I am not mistaken.

Q. Did Sam Darcy and his wife register in the same hotel? A. They did.

Q. And under what name did you register?

A. My own name.

Q. Did Sam Diner register?

A. Sam Diner, yes; I am Sam Diner.

Q. No, I mean Sam Darcy; excuse me.

(Testimony of Sam Diner.)

A. He did.

Q. Did he register before or after you did?

A. I think he registered before me.

Q. And you registered immediately after he did?

A. Yes, sir.

Q. Did Sam Darcy register in his correct name?

A. I don't know. [852]

Q. I will show you what appears to be the original register of the Hotel Travelers, Fresno, California, on which appears the name of S. Diner, for December 22, 1934, and ask you if that is your signature?

A. (Examining document): Yes, sir.

Q. Then, that is the day that you arrived in Fresno, December 22, 1934?

A. I don't exactly remember the day, but that was in the fall, I know.

Q. Well, did you arrive on the same day that you registered there?

A. Yes sir, I arrived on Saturday night and I registered on Saturday night.

Q. And you say that Sam Darcy registered in the same hotel just before you did?

A. Yes, sir.

Q. Well, now, immediately above your name appears this:

"Mr. and Mrs. Arthur Frank, F-r-a-n-k."

Could that be Sam Darcy?

A. I couldn't say that.

Q. But you do know that he registered immediately before you did?

(Testimony of Sam Dim)

A. I registered after him.

Q. After him? A. Yes, sir. [853]

Q. There was not anybody else—

A. (Interposing): Between, no.

Q. Between his registration and your registration? A. No.

Mr. Del Guercio: I offer this in evidence, if your Honor please.

Presiding Inspector: It will be received without objection.

(The register referred to was received in evidence and marked Government's Exhibit No. 198.)

By Mr. Del Guercio:

Q. And now this shows that you were assigned room 236. Where was Mr. Darcy and his wife assigned?

A. I think it was adjoining my room.

Q. Do you know that it was adjoining to yours?

A. Yes, sir.

Q. Now, this says that Mr. and Mrs. Arthur Frank were assigned to room 235 and you were assigned to room 236. Would that be correct?

A. Oh, yes, that would be correct.

Mr. Del Guercio: I ask that the photostat of this be substituted for the original.

Presiding Inspector: No objection, it may be done.

By Mr. Del Guercio:

Q. Now, you say that you went to Fresno to at-

(Testimony of Sam I)

tend a Convention of the Communist Party. [851]

A. That is what I said.

Q. Who called that convention?

A. District Thirteen.

Q. District Number Thirteen?

A. Yes, sir.

Q. Of which, you have testified, I believe, that Sam Darcy was the organizer? A. Yes, sir.

Q. And who instructed you to appear at the convention? A. Sam Darcy.

Q. And was the convention held the same day you arrived in Fresno? A. No.

Q. When was it held?

A. The following day.

Q. The following day? A. Yes, sir.

Q. That was on Sunday? A. Yes, sir.

Q. The day following your arrival in Fresno?

A. Yes, sir.

Q. Were others than Communist Party members permitted to attend this convention? A. No.

Q. Of the Communist Party? A. No.

Q. Was it a purely closed Communist Party Convention? [855] A. Yes, sir.

Q. There is no question about that in your mind?

A. No question in my mind. [856]

Q. Did you see the Alien here, Mr. Bridges, at that convention? A. I did.

Q. What was he doing there?

A. As much as I was doing there.

Q. Well, now, what kind of a convention was

(Testimony of Sam Diner.)

this Communist Party convention, what was it called for?

A. Well, it was called for to have a check-up of shortcomings and achievements during the general strike.

Q. A check of what?

A. Of various activities that had been done and not been done.

Q. In what lines? A. All lines.

Q. In all lines? A. Yes.

Q. Were there various committees?

A. Yes.

Q. Were you on any committee?

A. I was.

Q. On what committee?

A. Trade Union Committee.

Q. Trade Union Committee? A. Yes.

Q. What was your position on that Committee?

[857]

A. I was Temporary Chairman at that time.

Q. And what was Mr. Bridges, the Alien, here?

A. Mr. Bridges spoke before that Committee.

Q. Was he a member of your Committee?

A. Yes.

Q. You say he spoke before your Committee.

When did he do that?

A. In the afternoon, late in the afternoon.

Q. During the convention? A. Yes.

Q. In what part of the convention—where was this convention held? A. In Fresno.

Q. Do you know the place?

(Testimony of Sam Diner.)

A. I don't know the name of it, but I know the place.

Q. Would you recognize a photograph of it? I will show you a photograph of a building here and ask you if you can identify it?

A. (Examining photograph) Well, the place wasn't so decorated as it is now. Maybe it has been remodeled since then; I don't know. But I can recognize the inside better than the outside.

Q. You can't recognize that building as it is there now as the place where the convention was held? A. It wasn't so clean. [858]

Q. You say you can recognize the inside of it?

A. More than the outside; yes.

Q. I will show you some photographs here and ask you if you can recognize any of these photographs?

A. (Examining photographs) I can recognize this one.

Mr. Del Guercio: I offer this photograph in evidence at this time as Government's Exhibit next in order.

Presiding Inspector: It may be received without objection.

(The photograph referred to was received in evidence and marked Government's Exhibit No. 199.)

A. (Examining photograph) I recognize this one.

Mr. Del Guercio: I offer this in evidence and ask that it be marked.

(Testimony of Sam Diner.)

Presiding Inspector: It will be received without objection.

(The photograph referred to was received in evidence and marked Government's Exhibit No. 200.)

A. (Examining photograph) I recognize this one.

Mr. Del Guercio: I ask that this one be marked and I will offer it in evidence.

Presiding Inspector: Received without objection.

(The photograph referred to was received in evidence and marked Government's Exhibit No. 201.) [859]

A. (Examining photograph) And this is a duplicate, the same as another one.

Mr. Del Guercio: That is a duplicate. I will withdraw that.

A. (Examining photographs) That is all I recognize. Maybe it has changed since then.

By Mr. Del Guercio:

Q. You recognize Government's Exhibits 200, 201, and 199 as being the inside of the place where this Communist Party held its convention in 1934 on a Sunday? A. I do.

Mr. Grossman: Have you marked for identification the front view of the hall that the witness said he couldn't identify?

Mr. Del Guercio: No.

(Testimony of Sam Diner.)

Mr. Grossman: If not, I would like to have you do that.

Mr. Del Guercio: I don't know as I will.

Mr. Grossman: I submit, your Honor, we are entitled to have some record of the picture that the witness could not identify.

Presiding Inspector: I do not see any objection to having it marked, Mr. Del Guercio, for identification.

Mr. Del Guercio: I will withdraw my objection and I will offer it for identification. [860]

(The photograph referred to was marked for identification as Government's Exhibit No. 202.)

By Mr. Del Guercio:

Q. Have you seen this place since this Communist Convention? A. Yes, I have.

Q. With whom did you go to Fresno?

A. Mr. Devereaux.

The Reporter: Spell it, please.

The Witness: I don't know how.

Mr. Del Guercio: D-e-v-e-r-e-a-u-x.

By Mr. Del Guercio:

Q. He is an agent of the Federal Bureau of Investigation? A. Yes, sir.

Q. And you then recognize the place as being the meeting place of this Communist Convention?

A. Yes.

Q. You said that the Alien here spoke at a meeting of your Committee? A. What?

Q. That he spoke at a meeting of your Committee? A. Yes.

(Testimony of Sam Dineen.)

Q. That was inside the hall?

A. Yes. [861]

Q. And during the time of this Convention, is that correct?

A. It was in a separate room from the hall.

Q. In a separate room?

A. In the building; yes, sir.

Q. And what did he speak about?

A. Oh, about the general trade union movement; that is about all.

Q. Was it a speech or was it more in the nature of a report?

A. It was more of a report than a speech because it didn't last very long.

Q. To whom did he make this report?

A. To the entire committee.

Q. And you were acting at that time as Chairman?

A. Temporary Chairman of the Committee; yes.

Q. And how were you appointed Temporary Chairman of this Committee?

A. By Mr. Darcy.

Q. And was this a Committee within the Communist Party convention that was being held there at Fresno at the time?

A. All conventions are broken up into committees.

Q. I see. What else occurred at this Communist Party convention?

A. In what way? [862]

Q. Well, did anybody else make any speeches?

A. Oh, several others made speeches.

Q. Who else, besides the Alien here?

A. I think Mr. Darcy spoke.

(Testimony of Sam Diner.)

Q. What did he speak about?

A. About the various shortcomings as far as the general strike was concerned, and part of its achievements. I can't remember exactly the words; it is impossible.

Q. The shortcomings of whom?

A. Of the Communist Party.

Q. Of the Communist Party. Did anybody else talk at the convention?

A. At this moment I can't recollect unless I can refresh my memory.

Q. How long did this convention last?

A. All day.

Q. All day. And were you in attendance all that day?

A. Yes, sir.

Q. Do you know if the Alien here, Mr. Bridges, was in attendance all day?

A. Well, as I say, he came in there around early in the afternoon and he was there until dark.

Q. Now, are you sure that this was a purely Communist convention?

A. Definitely.

Q. Could anybody but a member of the Communist Party [863] have attended this convention?

A. Oh, no.

Q. Under any circumstances?

A. No.

Q. Who else was present at this convention besides Sam Darcy and the Alien here?

A. A member of the Comintern was there.

Q. A member of the Comintern. Do you know his name?

A. No, I don't.

(Testimony of Sam Diner.)

Q. Do you know what name he used at this convention? A. No.

Q. Where did he come from?

A. I don't know.

Q. You say he was a member of the Comintern. How do you know that?

A. I was introduced to him.

Q. By whom? A. By Mr. Hanoff.

Q. Mr. Hanoff was also there? A. Yes.

Q. And did this Russian member of the Comintern make a speech?

A. I don't know whether he was a Russian or not.

Q. I thought you said he was. Excuse me.

A. No, I didn't.

Q. Did he talk? [864] A. No.

Q. Who else was present at this convention, if you can recall?

A. A lot of people were there but I don't know their names.

Q. Was George Wolfe there?

A. I think he was there.

Q. Was Jeff Goodman there? A. Yes.

Q. That is the same Jeff Goodman that you have previously testified about? A. Yes, sir.

The Reporter: Spell it, please.

Mr. Del Guercio: J-e-f-f G-o-o-d-m-a-n.

By Mr. Del Guercio:

Q. Was Walter Lambert there?

A. I don't remember.

(Testimony of Sam Diner.)

Q. Where was this representative of the Comintern sitting in this convention?

A. He was sitting in the background near a window.

Q. In the back near a window? A. Yes.

Q. Why did he choose that particular place to sit, if you know? A. I do know. [865]

Q. Why?

A. The rumor was circulating around that the American Legion was going to break up the convention and he was supposed to be the first one to get out in case of a thing like that happening.

Q. And that is why he was sitting near the window? A. Yes.

Q. You say you were connected with the Needle Trades Workers Union? A. I was.

Q. Did you hold any office?

A. I was President of this Union.

Q. President of that. Where did you have your offices at that time? A. 830 Market Street.

Q. 830 Market Street? A. Yes.

Q. And during what year did you have your office there? A. One year.

Q. What year was that?

A. That was, I think, in 1933.

Q. Are you familiar with the mimeographed sheet, the Waterfront Worker?

A. I know the name.

Q. Well, did the Waterfront Worker use the offices you [866] had as its mailing address during that period of time you occupied it?

(Testimony of Sam Diner.)

A. Yes.

Q. And who asked—did you give them permission to use the office? A. I didn't.

Q. Who gave them permission?

A. The Secretary of the Union.

Q. The Secretary of the Union. Who was the Secretary of the Union at that time?

A. Fred Firestone.

Q. Fred Firestone? A. Yes.

Q. Was he a member of the Communist Party?

A. He was.

Q. A functionary? A. He was.

Q. Did he hold any other office than Secretary of your Union? A. In the Union?

Q. No; otherwise in the Communist Party or anywhere else?

A. Yes. He was at that time Waterfront Organizer?

Q. Waterfront organizer? A. Yes.

Q. For the Communist Party? [867]

A. He was.

Q. I show you a copy of the Waterfront Worker, dated San Francisco, February 1933, on page 3 of which appears this:

Waterfront Worker

"This paper is issued by a group of longshoremen for longshoremen for the Waterfront Worker, (Room 421) 810 Market St., San Francisco, Calif."

Is that the offices you were occupying as President of the Needle Trades Workers Union at that time? A. Yes.

(Testimony of Sam Diner.)

Q. Do you recognize this particular issue of the Waterfront Worker?

A. I don't know about this issue; I recognize the Waterfront Worker.

Mr. Del Guercio: I offer this in evidence, if your Honor please, as Government's Exhibit next in order.

Presiding Inspector: Received without objection.

Mr. Del Guercio: I ask that a photostat thereof be substituted for the original.

Presiding Inspector: It may be done.

(The document referred to was received in evidence and marked Government's Exhibit No. 203.)

GOVERNMENT'S EXHIBIT No. 203

[Cut] Waterfront Worker Price 1c

Vol 1 No. 2

San Francisco

Feb. 1933

Organizing The "Front"

Tom Mooney Sends Greeting

California State Prison.

San Quentin, Calif.

December 22nd, 1932.

"Waterfront Worker"

San Francisco, Cal.

Dear Fellow Workers:

I was exceedingly interested in the bulletin recently sent in care of my Defence Committee. I think the "Waterfront Worker" can become a most

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)
effective organizational force on the waterfront and I hope that efforts will be made to see that it is regularly distributed.

The importance of organizing the longshoremen and waterfront workers along militant lines is only too self-evident. At this time especially is this so. The water front workers have always responded to militant leadership and if the longshoremen, who are taking the initiative, stick to the task of interesting the workers belonging to the marine industry in their day to day problems, victory is bound to ensue. My best wishes for a strong, militant and fighting Industrial Union.

Comradely yours,

(Signed) Tom Mooney (34921)

Unemployment Relief

This problem of unemployment amongst longshoremen is one that demands some action, especially since so few men are working in regular gangs and since so many old timers are now put on the spot by the shipowners. It is high time that we raised certain demands before the county, state and federal government, such as the following:

Unemployed Cash Relief of a Minimum of \$10 A Week. (the money to come from a tax on the profits of the shipowners and from the Construction Loan Fund to the shipowners passed by the Jones-White Act.)

The Next Steps

The "Frisco" waterfront is ripe for organiza-

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

tion. Things are beginning to stir. The interest in the first issue of the "Waterfront Worker" is proof of this. Many longshoremen after reading it are asking a number of questions. What is this new outfit? What is behind it? What does it intend to fight for, and how? Of these questions asked, this issue will answer them in part, but it will take future issues of this paper, and the future growth of the organization started to answer these questions in full.

In the first place, the longshoremen involved in this developing movement mean to carry on a fight against the speed-up methods of the shipowners as one. We are organizing to fight for these demands which concern us and all longshoremen:

1. For a deep cut in the size of the load: this to be included in the new working rules.
2. For more men in a gang.
3. For a real fight against further wage-cuts.

What sort of organization have we in mind that will be effective in a fight for these demands?

To begin with sucking our thumbs will get us nowhere. The main push must come from ourselves, and especially those on the job. Leaving it to a few officials as in the past will not do. This means we must begin with the organization of groups amongst the gangs on the docks. These groups can expose grievances on their particular dock, recruit and carry on organizational work amongst the rest of the men in the gangs, and in

(Testimony of Sam Dineen)

Government's Exhibit No. 203—(Continued)
time act as the leadership in action taken on some particular dock against a grievance.

These groups work on the quiet till they are strong enough. Representatives from the groups meet those from other groups to exchange experiences, discuss grievances and to figure out ways and means of overcoming them, such as job action, etc. These groups will form the basis of a wide and general organization of all longshoremen. These are only the outlines. Future issues of this paper will fill in the details from actual experiences.

Page 2

Waterfront Worker

Feb. 1933.

The "Speed-Up"

The life of a longshoreman on the water-front is not a bed of roses by a long shot. But by far the worst kick we have coming is the one that has made things on the "Front" unbearable and that should more than anything else spur us to action, is the terrific speed-up. The shipowners always hungry for profits, have been quick to take advantage of the unorganized state of the longshoreman. They have piled work on him, the sky being the limit.

What does the speed-up mean? First, it means complete exhaustion. A man putting in a full days work on one of the speed-up docks (and there are few exceptions) is only fit for bed when he gets home. If he is lucky enough to be on one of the docks that gets steadier work and sometimes a little overtime, the exhaustion is complete. To pep him-

(Testimony of Sam Diner)

Government's Exhibit No. 203—(Continued)
self up for some more of that he has to take a few more drinks. And after a few, he takes a few more, with the result that the bootlegger gets most of his pay.

The speed-up brings in its train other results. The feverish running around and exhaustion results in increased accidents. Working at such a fast pace and the bigger and bigger loads means that a ship will take so much less time to load or discharge and more than doubles the unemployment now on the waterfront. This not only means less work but also amounts to a wage-cut and a huge one at that. A man puts out about three times as much work for 75c an hour as he formerly put out for \$1 an hour. This means in an indirect way he is really working for 30c an hour. The shipowners know that when the lower costs of loading and discharging show on their ledgers in double profits.

The shipowners also use a free hand in getting rid of the older men who may not be able to stand the gaff as well as the younger men. This has resulted in hundreds of "old timers" who have built up the treasuries of the shipowners, now being forced to walk up and down the waterfront without even a chance to make even their bread.

There is hardly a wrinkle in the development of the speed up that the shipowners have overlooked. They have introduced the fast jitney. The double board is the rule. The size of the gang has been cut. The loads have been increased and are still

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

increasing. Finally the shipowners in their wisdom have carefully picked bosses that know how to speed-up. And how well the shipowners have found what they wanted.

The increase of the size of the loads is the main method in the speed-up. Four bales of cotton make a load in place of two or three. A ton and a half of lead makes a load instead of the former 1800 pounds. Twenty bags of rice now make a load instead of twelve or fifteen. Over thirty bags of coffee is the rule, and instead of a couple of oil drums in a sling, as many as eight now make a load.

Swayne and Hoyte is a good example. On sugar there is no limit as long as backs can still stand it. ~~Forty cases of canned goods is common in place~~ of the previous eighteen. The loads are climbing higher and higher. "Pile them up boys," say the shipowners. "Pile them up higher and higher, one tier, two tiers, three tiers, and faster boys, faster. The hook is hanging. Pile 'em up boys; the B. B. says it's O. K."

The shipowners give loving attention to the speed-up bosses. They have gone to the trouble of importing them from other ports. And why shouldn't they when such geniuses as big Knute Larsen can conceive such a bright idea as using boards for practically everything; when such a speed-up genius as "Lord" Nelson is still at large; when the speed-up geniuses on the American-Hawaiian can so easily think of using two scows on a bridle as they did the

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

other day. Even the brains of these bosses work on the speed-up basis.

The other day "Overtime" Fred wanted to save some overtime for the American-Hawaiian. The idea suddenly flashed across his mind that two loads of drums could be hooked on the same gear. So he did this and the American-Hawaiian is in a few dollars and the longshoremen eat beans and don't go to the movies.

Well, it's all true. But what can be done about it? Some suggest that we slow down. That's O. K. but that requires a high degree of organization. It requires co-operation between parts of a gang and amongst gangs on a dock; and that is not possible where there is no organization amongst men and everyone is accustomed to work as an individual. If that it done by individuals it does not go very far. Another man will just take his place. The only solution is new working rules and the organization to enforce them: smaller loads, larger gangs, no speed-up bosses. This is the solution. And with the help of the rest of the longshoremen organization will be built on the "Frisco" waterfront and the solution worked out.

Speed-Up Works Both Ways

Bad stowage and bum dunnage resulted in "Mustacho Charley" and "Anarchist Brown" of the Dollar Line being laid off for a while, because two bails of silk were spoiled by oil.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

N.Y.K. Moves

With the beginning of the new year the N.Y.K. has decided to move from the south side of Market St to Pier 37. They are also going to discontinue their old method of engagement so the B.B. delegate will have a job trying to collect dues.

Feb. 1933

Waterfront Worker

Page 3

WATERFRONT WORKER

This paper is issued by a group of longshoremen for longshoremen. Write for the Waterfront Worker, (Room 421) 830 Market St., San Francisco, Cal.

News-Getters Wanted

This paper can become our best organizer. With your help we intend to improve it. It can become a real factor on the "Frisco" waterfront. It can be used not only as a medium for exposing the many grievances, also for the clarification of the many problems we are faced with, but also for the building of organization to better our conditions. Groups can soon arise who will take the lead in organizing a regular longshore army to put an end to the shame and curse of the "Frisco" waterfront. This is a common task. Write for the "Waterfront Worker" of the situation as you see it. We want to cover all questions. Become a regular correspondent—a news-getter from the "Front" and from the docks. Support the "Waterfront Worker."

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Moratoriums for the Shipowners

Again the shipowners are to petition the government to "give greater latitude" in their dealings with delinquent shipowners who borrowed from the Constructn Fund of the U. S. S. B. T. V. O'Connor, Chairman of the Board made the statement that "just now the U. S. B. is observing a 'policy of forbearance' in respect to interest payments and curtailment of outstanding loans"

\$122,744,00 has been loaned for 48 ships, launched from Jan. 1930 to Oct. 1932 (33 months). All but 10 vessels received ten year mail contract subsidies amounting to \$300,000,000.

The shipowners certainly know how to conserve their profits.

Matson Line Profits

Despite the far reaching effects of the crisis the Matson Navigation Co. still continues to pay dividends; and no wonder when \$67,000 for each outward voyage is the reported government mail subsidy.

Last year a \$6 dividends per share was paid as compared to \$4 per share the year previous. The Matson Nav. Co. besides owning the Matson Terminals, a stevedoring organization, the LASSCO, the Oceanic SS Co and half interest in the Oceanic & Oriental Nav Co (American-Hawaiian owns the other half), and share in the Inter-Island Steam Nav. Co., also owns the controlling interest in the Territorial Hotel Co. (Royal Hawaiian, Moana, Seaside Hotels).

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

\$27,800,000 is its present authorized capital as compared with the \$5,000,000 in 1921. They paid stock dividends of as high as 150% after the war.

Injuries to Longshoremen

Accidents, especially in these days of speed-up, are not uncommon, despite all of the bosses' safety schemes. Not only is a Longshoreman, when employed, constantly risking life and limb, but in cases where he does not get busted up, and it doesn't end fatally, there is still the fight for compensation facing him. He still has the struggle to get an injury rating from the so-called "Impartial" Referees of the Compensation Commission of the Department of Labor. Hundreds of permanently injured longshoremen have found themselves after the "impartial" hearing of their case, suddenly cut off from further compensation, and too incapacitated to carry on their own vocation. The only thing left is starvation. Sometimes they have found themselves black-listed also through bucking the company doctors.

This is how it usually works. Under the clauses of the Act a longshoreman can get his own doctor, but he has also to be examined by the shipowners company doctor. Very seldom will one doctor dispute the diagnosis of another doctor who has handled the case before him. The longshoreman learns what that means when the company doctor gets together with the other doctor for a decision.

Many of the doctors whom the longshoremen

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)
lawyer may have referred him to are, like the lawyers, closely connected with the shipowners and working things both ways. Money talks, and usually when there is a conference of three doctors the one who represents the shipowners has all the say. Under these circumstances is it any wonder that so many longshoremen are turned down for a permanent injury rating thru lack of evidence, etc.

While there is no one to fight for the longshoremen these things will continue. The best thing is to bear in mind the old maxim, "an ounce of prevention is worth a pound of cure".

Organize to fight against the speed-up and to enforce real union working rules. This is the best way to prevent accidents.

Our Main Aims

We are out to build an organization, THAT can set a limit of so much on aboard for all docks. All to be fined who don't comply.

THAT can not only prevent further wagecuts, but can also win back the old scale of wages.

THAT can as an organized body force the shipowners and their county, state and federal legislative bodies to guarantee all unemployed or semi-unemployed longshoremen Unemployed Cash Relief of a minimum of \$10. a week.

Organize Dock Groups

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Page 4

Waterfront Worker

Feb. 1933

Panic in the "Blue Canyon"

The "Waterfront Worker", we learn, is not only in popular demand on the "Front" but has been asked for in other quarters. It must have been funny when Stein went up to the mailing address we gave and asked the guy there for six copies of this bulletin. As it happened the guy there had not been informed about the "Waterfront Worker" so he did not know what Stein was talking about. Stein introduced himself as a "union" official; said he was interested in the same thing as we are (he didn't mention anything about our proposal for a moratorium on dues, though).

When he failed to get the "Waterfront Worker" he gave a longshoreman 50¢ to try and get six copies.

What we are curious about is why Stein wanted six copies. D'y' think it's because he likes to see his name in print? Or May be he wants to give one or two copies to some of his friends; say "Scabby Peterson" of the Fink Hall or the "Law and Order" gang of the Chamber of Commerce. What do you think?

Same B. B. Delegates Hold Office

Well the elections are over—we mean of the "Blue Book"—and we don't want to come out with the wise guy stuff "I told you so", but it is no news to us that the same B.B. delegates are holding down their "pie card" jobs.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

On the face of it, it was nice and democratic; pretty speeches and all that. They even used the old gag about the recent wage-cut. When times get better and prosperity shows up around the corner, etc. they would see that we got the old scale. O, yeh?

"Red" the Radical

It is reported that quite an argument has ensued around our old friend "Red" of the B.B. Some say he is as radical as we are, or at least he can shoot the radical phrases; some say not.

Well the argument is easily settled. We propose to do the same thing as the European debtor nations are doing—declare a moratorium, only this time of course on the matter of dues to the B.B. If "Red" supports us on this in preference to his dues collecting job at fifty-five bucks a week, then he will be as radical as we are.

Beware of the guy that talks radical and acts the other way.

Does "Scabby" Peterson Hold the Bag?

On the matter of the \$30,000 of the longshoremen's money in the "Blue Book" treasury. We have been informed that it was Stein himself who made the statement to a longshoreman who was forced to join up in the B.B. He is reported to have said that the treasury is not kept in the name of the B.B. so that no one could bring suit against them. Then the question arises, in who's name is the money held? This

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)
we heard was none other than our old friend "Seab-
by" Peterson of the Fink Hall.

Bust the Dues Collecting Rackett

"The word is out for you" is the warning we have often received when the B.B. is on our trail for back dues to this shipowners company union. Plenty of us have figured out how to evade this racket. Some of us have gotten by for a considerable period only to be either pulled off the job or forced to pay up. It is reported that some longshoreman on the Matson dock was recently caught after getting by for several years.

This rackett of the B.B. will continue as long as we remain unorganized. Individual action will get us no where. We think it is about time that we started a real organized campaign along the whole waterfront and to declare a moratorium on dues and agitate for the longshoremens money in the B.B. trasury being utalized for the relief of unemployed members.

More Lives Sacrificed to Profit

Thirty members of the crew of the French S/E Atlantic lost their lives when a fire destroyd this \$18,000,000 luxury liner at sea on Jan. 4th. Suspicion of the origin of the fire has caused an investigation. No passengers were aboard.

This is the third French liner to be burned down in the last year.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Shipowners' Holler

The Shipyard Maritime Association has strongly objected to the economy proposal to place the administration of the Longshoremen and Harborworkers Compensation Act in the hands of the Department of Labor and thereby abolish the Employers Compensation Commission.

The shipowners stated that "it was most unreasonable and unwise to intrust the interests of the maritime employers to a department which could not be expected to consider same from other than a partisan standpoint, and with a prejudice which would work grave injury to such maritime employers."

We fail to see why the shipowners are getting so hot and bothered about the change from their Department of Commerce to their Department of Labor. If the long shoremen had a say in the matter it would be different.

Feb. 1933

Waterfront Worker

Page 5

Lessons of the

By M. S.—

1919 Longshore Strike

How the "Blue Book" shipowners company union was introduced on the "Frisco" waterfront when the "Red Book" unions broke up.

The long drawn out longshoremen's strike of 1919 resulted in the final break-up of the Riggers & Stevedores' Union (Red Book) and the coming into existence of the shipowners' "Blue Book" company union (Longshoremen's Association of San Francisco).

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Much can be learned that longshoremen can use to advantage at the present period.

The strike was characterized by the militant stand of the rank and file longshoremen against the vicious attacks of the shipowners, who were supported by the Chamber of Commerce, the city officials including Mayor Rolph, and by the treachery of the officials of the A. F. of L.

Before the strike, which lasted from the middle of September to the end of December, the shipowners had started a drive to increase loads and cut the size of the gangs. The longshoremen answered with the strike, which began with a walk-out of a couple of hundred men but soon developed into a complete tie-up of the port. The longshoremen's demands called for a load limit of 1200 pounds, 16 men to a gang, and travelling time.

Early in the strike a conference of both sides was called by Rolph who was then mayor; but it ended without any success. After it, Rolph called on the shipowners to organize themselves more strongly. With this support of the city administration, the shipowners worked skillfully and persistently with the aim of completely breaking the "Red Book" union. What were the methods used?

In the first few days of the strike, when the shipowners succeeded in bringing in about 150 scabs, the mistake was made of taking a defensive instead of an offensive attitude; a strong picket line should have been put on. Plenty of other weaknesses were shown

(Testimony of Sam Diner.)

Government's Exhibit No. 203--(Continued)
on the part of the leadership which were utalized to full advantage by the shipowners.

Through their press the shipowners made the claim that most of the men were against the strike, which they said was forced by a "radical minority" of the union calling for a rising vote instead of a secret ballot. This whine in the public press had for its purpose the isolation of the militant leadership and shows that the shipowners were also working thru their agents in the union. They followed this up with a refusal to meet in conference with the rank and file strike committee. On Oct. 14 when the fatal mistake was made of permitting the strike being taken out of the hands of the rank and file committee, the shipowners made even more arrogant demands that negotiations be taken out of the hands of the officials and put into the hands of "appointed" men on the bigger docks, evidently having certain "safe" ones in mind. Compliance with these maneuvers added to the strength of the shipowners and gave them more opportunity to work within the union.

Another factor in the final betrayal was the role played by the A. F. of L. officials. The Central Labor Council stabbed the longshoremen in the back by proposing that the shipowners demand for a secret ballot be granted, and by urging for a compromise without a fight. Casey of the teamsters by all kinds of subterfuge prevented his members from striking in sympathy. The same can be said of the officials of the I.S.U.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Now for the final page in the story of the strike, and the dirtiest of them all :

The shipowners had been consistantly working to break the union from within. On Oct. 29th, the Chamber of Commerce supported the shipowners by sending out an appeal for funds "to be used in such ways at it deems wise and effective in meeting the present intollerable situation on the waterfront". On Dec. 8th they had collected a strike-breaking fund of \$100,000. On Dec 9 the press carried the following:

"The Longshoremen's Association of San Francisco (B.B.) was organized last night at a meeting called at Eagle Hall by stove dore foremen. The Waterfront Employers union, it was stated, has offered to enter into a five year agreement with the Association. It was also stated that the employers had to provide headquarters for the new organization. The meeting last night was held under police protection, 30 plain clothesmen being present."

On Dec. 11th, Bryan and Stein stated that the "Blue Book" would work on a closed shop basis. In other words the "Red Book" men must join it to work.

On Dec. 23rd, the shipowners stated that they would not employ any "Red Book" men unless they joined the "B.B."

Nothing more need be said. The longshor men know the rest and can draw their own conclusions and learn plenty.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Page 6. Waterfront Worker Feb. 1933.

What's Happening in Other Ports

SAN PEDRO:—"The problem of further wage-cuts will come up with a bang next month" is how the local press expresses the situation in this port. A cut has already gone into effect immediately following the new scale set by San Francisco.

The new scale paid is as follows: Hold men 75c and \$1.15 overtime; on the dock 65c and \$1 overtime; car gangs 55c with the same for overtime. The ship-owners cunningly apply the rule of "divide and conquer" by giving the sop of 85c and \$1.20 overtime for hatchtenders and winch drivers with the purpose in mind of speeding up the lower ratings.

TACOMA:—The wage-cut of 10c that was put over in San Francisco and back East prior to that, has gone into effect in all N.W. ports. The only thing that prevented the longshoremen from striking was lack of leadership. The I.L.A. officials didn't begin to move until a few days before the cut went into effect.

Only 29 members of the "New Town" local attended the first meeting called. The situation was allowed to drag till after Jan. 1st when the cut became effective. A few men proposed to stay at home and refuse to accept the cut. There is some talk of the need of a new union since the I.L.A. officials refused to act.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

EVERETT:—The I.L.A. (67 members) at its Dec. 17th meeting rejected proposals to accept a cut and called for a delegates meeting from all locals in the N.W. No action was taken.

SEATTLE:—On Dec. 15th, the "Fink Hall" committee met (employers and employees). The 10c cut was announced which the longshoremen refused to accept. On Dec. 23rd another meeting was held and again the wage-cut proposal was rejected. The executive committee overruled them.

The sentiment was strong against the cut but as in Tacoma the I.L.A. district leadership allowed things to drift.

Bjorklund, district organizer of the I.L.A. came to Seattle and stated that an organizational drive would be started soon. Little is expected to come of it.

The maneuver of the shipowners in offering free rent in the Fink Hall to the I.L.A. is believed to be the first step in establishing something similar to the "Blue Book" in "Frisko." Since the upkeep of the Fink Hall costs the shipowners about \$20,000 a year they are looking favorably to all longshoremen joining the I.L.A. provided they control it through Bjorklund and Co. just as they do back East through Ryan, the International President.

PORTLAND: — The I.L.A. here has closed up. About 25 old timers kept the hall open but due to the sabotage Bjorklund they were finally forced to give up.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

INTERNATIONAL NEWS

Havana Dockers Prepare for Struggle

Harbor workers in Havana, Cuba, are calling a congress to prepare for action against rationalization.

The introduction of Sea Trains will be one of the most important points taken up. These Sea Trains or ferries now run between New York and Havana, also from New Orleans to Cuba. (ISH Press Service)

Japanese Seamen Win Strike

A report from Tokio dated Nov. 5th, states that steamers on the Inland Sea service have been tied up by striking crews. The essential parts of the engines were removed and prevented these ships being worked by scabs. The later reports state that the seamen have won their demands. (N.Z. Seamens Journal)

French Dockers Strike Against Cut

On Dec. 3rd, 4,000 longshoremen in the port of Le Havre struck against a cut in wages.

On Dec. 10th the longshoremen in Dunkirk came out in sympathy. The crews of the American ships Liberty and Pipstone County refused to work cargo although 75 francs a day was offered them. The crew of the Dutch ship Cryusen battled the scabs who came aboard to work cargo.

Longshoremen in other French ports and in Belgium have answered the call sent out by the strik-

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)—
ers and have refused to handle ships diverted from
the striking ports.

Latest information states that 8000 men are now
out in Le Havre alone. A solidarity demonstration
of 20,000 took place in the troop-policed streets of
Le Havre (ISH Press Service).

Self Help

Seattle:—Unemployed workers here smashed the
plate glass windows of a clothing store on the "Skid
Roads" early Christmas morning, helping them-
selves to underwear, shoes and other necessities.

A "Bright" Idea

We don't know whether it was "Overtime Fred"
or "Berkely Bill" who conceived the "bright" idea
of hitching two scows to an automobile bridle. Any-
way the bosses went around smiling when they saw
how it worked. However the "idea" is not yet per-
fect but in time they hope to have it so that there
will be only one man to a scow.

The nickels and cents that we collected on the Dec.
issue of the "Waterfront Worker" has helped to pay
for half of the present issue; the rest has been do-
nated. Again, thanks.

Feb. 1933.

Waterfront Worker

Page 7.

(Cut)

Correspondence

Letters From Longshoremen:

Correspondence from longshoremen is one of the

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)
most important features of this paper. We want to hear from every man who has anything at all to say. Write to-day. Let us know what are the conditions as you've met them. Your name will not be mentioned. Mail it to the "Waterfront Worker" (Room 421, 830 Market St.) Below are a few letters from longshoremen who have already answered our call for correspondence.

"Frisco" Longshoreman. For Organization
Editor, The Waterfront Worker: To say it is time something was done about conditions on the waterfront is to say the least. I was sure glad to get a copy of your bulletin, and to see that at last there is a move towards a change. It certainly can be seen that if the present policy of big loads and lots of 'em coupled with the new cut in wages is continued, the old saying of a stevedore needing nothing but a "strong Back and a weak mind" won't be a joke, but a fact.

I hope that in your next issue there will be more details as to how you intend to go about organizing men on the front, and as to how I and others that I know feel the same way, can help. For the present you may depend on me to be a loyal reader and booster of this paper.

Dock Walloper.

A Letter from "Pedro"

Editor, Waterfront Worker: Have read with interest the paper you sent me. Maybe you would

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued):
like to know of the conditions here. We are already working under the new wage-cut agreement with the Fink Hall which they put over by promising more days of work per week. In the last six months more speed up and mechanical changes have been introduced. For instance on Pier 53 the ship-owners went to work and extended the loading capacity of the trailers. They used to have 4, now they have 2. on pulp they added two more bales, making eight bales to a load. They figure on piling them up some more when the new system is working more smoothly. In the hold the gang is cut down from 6 men to 4—and they have to handle the 2 more bales per load. On the dock about 4 car gang men handle pulp with a locomotive crane. There is no end to the speed-up methods. Those that I showed the Waterfront Worker to were pleased to see that something has been started in "Frisco". Will get some of the boys together here.

"Buy American" — With What?

A recent letter to one of the local newspapers, apparently from a longshore has some interesting observations on present problems—observations of special importance to longshoremen. Only lack of space prevents me from quoting it in full. The writer of the letter severely criticizes the "Buy American" campaign, as advocated by Hearst. The following are extracts:

"His (Hearst's) latest gold brick is 'Buy Ameri-

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

can. If the people of the different nations adopt the idea of buying home manufactured goods only, the international transport workers will soon be added to the unemployed." . . . "Does Mr. Hearst think we can have export without import? If he does he has a pipe-dream." . . . "We cannot expect to see American and foreign ships leaving our ports loaded with American-made goods and come back empty for more, while all industrialized nations are frantically seeking world markets for their own surplus products." . . . "Mr. Hearst is always trying to throw dust in our eyes by raising irrelevant issues so that we may not see the real cause of unemployment everywhere, namely; Concentration of wealth into fewer and fewer hands; a state of affairs that comes about thru the exploitation of the many by the few.

Let ters From Longshoremens Wives

In the next issue we expect to hear what some of the long shoremens wives have to say. Longshoremens are not the only ones who suffer from wage-cuts and unemployment. Even speed-up effects the longshoremens wife as it results in the husbands not only coming home played out after the shipowners have sweated every available ounce of energy out of him, but irritable through overwork they often seed recreation in a few drinks that may cause endless quarrels in the family. Lets hear from the longshoremens wives.

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Page 8.

Waterfront Worker

Feb. 1933.

Under Below (illustration)

—By the Hatch Tender—

For or Against

Our slams at certain gang bosses may seem that we are against all gang bosses in general. This is not the case. We are against those bosses who play the game of the shipowners and against the interests of the longshoremen.

Fouled

We have not been able to confirm this, but there might be something to the story. It is reported that a certain particularly vicious gang boss got fouled in the cargo recently. How to get him out was the problem. One of his gang suggested putting a rope sling around his neck and pulling him loose with the gear. Anyway, finally someone went down and pried him clear with a pick. Pity for the gang boss's wife and kids, this longshoreman said, was the only reason he did not plant the pick into the soft part of his Boss's anatomy.

An "Admiral" On the Bum

Times must be tough, all right. "Admiral" Nelson (the same we referred to last month) is to be seen now playing the horses. He is still interested in speed and is trying to pick a "fast one". Now that he has no poker game to cut he has to fall back on the ponies. So have the mighty fallen!

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

Another Speed-up King

Big Knute, we are informed was the guy who conceived the bright idea—plenty of men have cursed him for it since. We mean about the matter of using boards for all kinds of things. Through this Swayne and Hoyt now sling 8 oil drums, while even on the hungry California docks, up till recently 3 drums were a load. This bird was also famous for getting gangs to report to the bootlegger for orders. Soon we hope to have a say about things also.

Swiping Gear

One of our readers has been inquiring from us as to whether Mack of the Steel dock still swipes new rope slings and sneaks out of sight so that he can splice them into scows. We are not able to give the required information. Maybe someone else can, but it is not unusual for some gang bosses to steal for their masters. "Overtime Fred" is an example. This is what the system breeds.

Dollar by Name and Dollar by Nature

"When we make a deal, and if we make one, it will be a good deal for the Dollar Steamship Lines. Otherwise the deal doesn't go." So R. Stanley Dollar, president of the Dollar Steamship Lines was quoted as saying at a Christmas dinner for employees of the company aboard the liner President Hoover at San Francisco. (Pacific Shipper).

Speaking of "deals", we got a dirty one recently

(Testimony of Sam Dinery)

Government's Exhibit No. 203—(Continued)

when the 10c wage-cut was put over. It was a "good deal" for our friend Dollar all right. When we are strong enough we intend to make a deal with Dollar, and one that will "go". We know a few things about "good deals" and how to organize to put them over ourselves.

Back to "Prosperity"

According to a bunch of university professors who recently held a congress back East, if we were to return to the 1929 "prosperity" period, 50% of the Unemployed would still be jobless as a result of the introduction of new machinery and methods of speed-up. We agree, only we figure they are too conservative in the estimate—that an even greater percentage of workers would be disemployed.

The conclusions to be drawn are first we are entitled to live and since the shipowners can get support from the government, why can't the unemployed get relief? Yes, we support the demand for UNEMPLOYMENT INSURANCE from the state.

Working Rules in Other Ports

From Portugal, we learn that longshoremen have working rules there and that a limit set for one man to handle is 60 pounds. All over this means doubling up.

From other parts of the world we have as yet little information on working conditions. One fact is known and that is the shipowners themselves

(Testimony of Sam Diner.)

Government's Exhibit No. 203—(Continued)

boast of "Frisco" as the greatest speed-up port in the world. We figure on changing this in time. Way down in Australia the wheat "lumpers" on the decks forced a change through organizing, from the 5 bushel bags to three bushell bags. In certain ports down there they also have a 15 minutes rest period for a morning and afternoon "Smoke". We can enforce working rules when we also get organized strong enough.

[Endorsed]: Filed June 2, 1942.

By Mr. Del Guercio:

Q. Do you know who the editors of the Waterfront Worker were at that time? [868]

A. I don't.

Q. Who appeared at your office as representatives of this Waterfront Worker?

A. Well, I really can't say who did. I was working all day. I can't say who did.

Q. You don't know who—you can't recollect at this time who represented it? A. No.

Q. Do you know Harry Jackson? A. I do.

Q. Who is he? A. Who he is?

Q. Yes. A. Harry Jackson.

Q. Do you know him by any other name than "Harry Jackson"?

A. He has another name, I think—Glickshone.

The Reporter: Spell it, please.

(Testimony of Sam Diner.)

The Witness: I don't know how.

By Mr. Del Guercio:

Q. Is it G-l-i-c-k-s-h-o-n-e?

A. I suppose so.

Q. That is as near as you can figure it out?

A. Yes.

Presiding Inspector: He said "Yes." [869]

By Mr. Del Guercio:

Q. Did you know Harry Jackson to be a member of the Communist Party at that time?

A. I do.

Q. What was his position in the Communist Party?

A. Well, I can't tell what his position was at that time.

Q. Well, can you state whether or not you knew Harry Jackson to be a member of any union?

A. I think he was a member of the Waterfront Workers Industrial Union.

Q. Waterfront Workers Industrial Union?

A. Union. I don't know if it is on Market Street near—

Q. (Interposing) Do you mean the Marine Workers Industrial Union?

A. The Marine Workers Industrial Union, that is right.

Q. He was what for that union?

A. He was what?

Q. What was his position?

A. He was supposed to be organizer.

(Testimony of Sam Diner.)

Q. Organizer. But was he a worker? Do you know whether he worked for a living?

A. How could he live if he don't work.

Q. I don't know. Was he a longshoreman?

A. I think he was a sailor, wasn't he? Supposed to be.

Q. Did Harry Jackson ever come to see you at your offices? [870] A. He did.

Q. At 830 Market Street?

A. He used to come to visit us at 77 Fourth Street; we had an office at that time at 77 Fourth Street.

Q. 77 Fourth Street? A. Yes, sir.

Q. When did you have your offices there?

A. During '29 and '30.

Q. '29 and '30? A. Yes; '31, I guess, too.

Q. That was prior to the 1934 strike?

A. Yes, sir.

Q. I will show you a copy of the Waterfront Worker for June 1933, volume 1, No. 6, and on page 3 thereof appears this:

"Waterfront Worker, 830 Market Street, Room 421, San Francisco, California."

Is that the address of your offices at that time?

A. Yes, sir.

Q. Do you recognize this issue of the Waterfront Worker?

A. (Examining document) I said I don't recognize the issue exactly, but I recognize the Waterfront Worker.

Q. You have seen these before?

(Testimony of Sam Diner.)

A. Yes, sir.

Q. You have seen them in your offices at that time? [871]

A. Yes, sir.

Mr. Del Guercio: I offer this in evidence, if your Honor please.

Mr. Gladstein: May we see it before you offer it, please?

(The document referred to was passed to counsel.)

Presiding Inspector: Received without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 204.)

GOVERNMENT'S EXHIBIT NO. 204

Waterfront Worker

This paper is issued by a group of organized longshoremen. We acknowledge the help given us by the M. W. I. U.

Waterfront Worker

Volume 1—No. 6

June 1933

Action Against Short-Timing on 26

The New Deal on 40

(from a correspondent)

The superintendent of the McCormick Steamship Company at Pier # 40, Stratmeyer —by name, has issued strict orders forbidding longshoremen inside the dock before working hours, therefore, denying them shelter from the elements of the weather and

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

the use of the lavatories. His reason for so doing are that the men gamble in their spare time, notwithstanding that he—Stratmeyer, and other white collared gentry are continually gambling and smoking inside the dock. Longshoremen, this lackey is a high salaried employee receiving more in a month than any of you workers do in a year and you are the ones who pay him out of the profits that you pile up for the McCormick Steamship Company. He is also having the hatch bosses continually shouting at the men "to hurry-up as there are plenty of good men out side the gate," with plenty of emphasis on the "goos men".

Longshoremen, of the McCormick Company and all other steamship companies, do you not think it time to arouse yourselves from your lethargy and put an end to these miserable conditions by organization?

Teamsters Gain Victory

The militant stand taken by the teamsters against a wagecut has forced the draymen to back out and abandon the idea. Moreover the Draymen were forced to sign a two year agreement during which time no change in wages or working conditions is to be attempted.

When the cut of fifty cents a day was first introduced the men voted almost unanimously against it (9 4 4 against, 6 for) and stuck to it.

The stubborn resistance of the rank and file of the teamsters and their threat of strike action,

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
showed the Draymen t h a t they were tackling a tougher job than they expected.

Organization made this victory possible. If the teamsters can stand up and fight, why in the hell can't we.

On May 11th, the 3 steady gangs on Pier 26 were cheated out of half an hour. The trick was done in the following manner: The gangs were working on the Texan. They knocked off at 5 and took the 5:40 to Oakland, arriving there at 6:20. Instead of immediately turning to they were made to wait to 6:30. As could easily be seen, the idea was to save half an hour on the men and when the gangs got their pay they found that was just exactly what had been done.

A number of the men decided that this short-timing could not be allowed to pass without a fight. They got together and drew up a letter to Stein explaining the case and demanding action on it by the B.B. The letter pointed out that this act was a violation of the working rules, that it was up to the B.B. officials to see that they were carried out, and that if the B.B. officials were really looking out for the interests of the men, as they claim, they would immediately take steps to get that half hour back for the men.

Copies of this letter were also posted up inside Pier. 26. The "Waterfront" learns that so far the

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

B.B. has done nothing. We, as well as the men on Pier 26, are convinced that Stein & Co. have no intention of doing anything.

This practical example shows in plain colors the nature of the B.B.racket. Such violations of the working rules, that are still in effect at the present time, occur every day. We must follow up this example of gross violation of our working rules and put pressure on the B.B. officials to enforce them or get off the waterfront and make room for an organization that will fight for our rights.

The Blue-Book Racket Must Go!!

—o—

Waterfront Worker

Page 2

June 1933

U.S. Congress Against War to Meet

With all the talk of peace, war preparations on the Pacific and in the rest of the world continue at a madder pace than ever. We know that while this peace talk is going on we, ourselves, are daily handling munitions and other war material. The following appeal received by us should arouse the active interest of all the workers on the waterfront. This appeal is issued by Sherwood Anderson, Theodore Dreiser, Upton Sinclair, leading literary figures, in the name of the American Committee for Struggle against War, 104 Fifth Ave. New York City, N.Y. This appeal calls on all organizations and individuals opposed to war to participate in a United States

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
Congress Against War in New York City, on Sept.
2,3,4, It reads in part as follows:

"War, never far distant in this mad dog-eat-day society of ours, is terrifyingly close these days. In China the slaughter of men, women and children, combatants and non-combatants continues from day to day. In South America undeclared war continues with unabated intensity. In Europe, the counter-revolution in Germany has produced two hostile alliances both of which are busy arming for another world war. Even in this country people are talking of war as a means of restoring prosperity—without realizing that war under present conditions would mean the suicide of our whole civilization.

We have been depending on statesmen and diplomats to preserve the peace of the world. We can do so no longer. The time has come when we must act ourselves—or face our defeat.

"All individuals and organizations must cooperate in building union against the war forces and war actions facing us today. Let all the opponents of war come together against this common horror; the interest of all demand that this union against war be formed.

Anyone wishing the full call can get it at the "Waterfront Worker" address. A Conference will be held in San Francisco on July 9. For information write, to Committee for Struggle Against War, Room 201, 1179 Market St. San Francisco, Calif.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

2nd National Convention of
the M.W.I.U.
New York
July 15

The M.W.I.U. Convention

In our last issue we published a letter from the **MARINE WORKERS INDUSTRIAL UNION** inviting the longshoremen of this port to elect a delegate to the National Convention of the M. W. I. U. to be held in New York City, July 15th. Since that time, we have received the official call for the Convention which reads in part:

"Thousands of longshoremen in Boston, the coast-wise men in New York and the New Orleans dockers have rebelled, despite the leaders of the I. L. A., have taken organized action against the continuous attacks of the shipowners. The strike on the point Gorda, Munmistic, Belgenland, Walter D. Munsen, and West Kebar are a few of the actions of the seamen against wage cuts, two watches and rotten conditions.

"To work out a fighting program of action, to unite all our forces and to prepare for such action as will stop the wage cuts, and win better conditions the **MARINE WORKERS INDUSTRIAL UNION** is calling for convening of its Second National Convention, in New York City on July 16, 17, and 18."

Waterfront Worker To send Delegate

This Convention Call sounds good to us. We be-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

lieve it is possible to work out a common program of action for all longshoremen. We believe that a thorough discussion of our problems with the stevedores, seamen, tow-boatmen, etc. from many other ports, that will be at the Convention, might help us considerably. And finally, we believe that any organization in this port, to be successful, must be connected up with the organized longshore men in other ports.

For these reasons the groups on the various docks that publish this paper, have decided to send a delegate to this Convention. It will mean a real sacrifice in time and money but we think it will prove well worth it. Any stevedore wishing to help us raise the money to send our delegate is invited to send a contribution, no matter how small, in care of the Waterfront Worker.

San Francisco, California.

—o—

June 1933 Waterfront Worker Page 3

We know that every stevedore has something on his mind. Say it in the Waterfront Worker. All correspondence is treated confidentially. You need not sign your name or address. Address the

Waterfront Worker

830 Market St., Rm. 421

San Francisco, California

[Printer's Note: The above is in a border of asterisks.]

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

THE MAIL BAG

Tied to the Gate

Editor,

Waterfront Worker

George Haskell, Pier #32, is becoming very liberal, with the time of the stevedore. Tuesday, May 23rd, he kept a number of men waiting all day to be picked to work the Maunawili. At 8 o'clock in the morning he told the stevedores to come back at 1 p. m. to wait. At 1 p. m. he told the men to wait. At 1:30 p. m. a few men were picked to work the Yale. The other men had to wait until 5 p. m. to be picked to load the Maunawili, and were ordered to report at 7:30 p. m.

George Haskell makes a practice of making men wait around to be picked for work when he could very easily tell them to report at a certain hour and not have to wait around the dock gate.

One Thursday, he checked a number of stevedores out who were working the Yale at 3:30 p. m. and made them wait to 5 p. m. to be picked. Men who are made to wait have to buy their meals when they could very easily save this money by being told to report at a stipulated time. The bosses take every advantage at this time because so many men are unemployed.

A Stevedore

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

The Big Shot

Mr. Editor

Waterfront Worker

Harry Jenson, one of the big shots of the waterfront took a gang over to 14th Street to work and in 3½ hours came back to #48 on this side to finish the ship. He told his gang that if they wanted to work that they would not get any travelling time so Mr. Stein was told about it and he wanted to know what they wanted him to do about it so the big shot Jenson, layed off the gang. He is a big help to the men that work for him. He would let you die before he would get a watercan and he raises hell for waking him up.

A Longshoremen

—o—

Gaffers and Walkers

Comrade Editor

A while back at the Richmond Ford Plant, a hatch gaffer was running about and shouting when the Ford plant super asked a longshoreman who that feller is, and on being told he was the boss of the gang, immediately went up to him and told him he did not want so much noise around there and he closed like a clam at low tide.

In another hatch the gaffer had already sent in a few loads of automobile parts, and the same super on seeing the parts in the hold, ordered them sent ashore and to clean up the hold before loading. Thereon, the hatch boss said it was all right, mean-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

ing the hold did not need sweeping. So the super said, "Never mind, I am in charge" so out came the freight again and the gaffer would remind you of a small boy after chastisement.

Flatfoot Olson of the McCormick Steamship Company at Pier #40 was ordered to bring eight men over to a ship, but he took it upon himself to bring only six, and on starting to work was asked why he did not bring the eight men as was ordered by the Walker Oliver, and he said he thought eight men were too many. Thereupon, Oliver told him he ought to make him go in the hold and do the two men's work that he failed to bring and he was whimpering something which was not intelligible.

Sometime ago a vessel was to come to Port Costa to load grain for Europe and it was talked about for two weeks before arrival. Woodside was the stevedore and he took the names, addresses and phone numbers of the gaffers (bosses) who were running after him and took the easiest way out, telling them he would send for them if he had an opening. There were 52 in all promising to put in all the way from 1200 to 1800 sacks an hour. He, Woodside, only used two bosses who were with him for years so the efficiency experts didn't get a chance to show their skill.

A Waterfront Worker

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

Page 4

June 1933

ON THE SPOT
WATERFRONT WORKER
OUR "FRIEND" WICKS

Waterfront Worker

Gentlemen:

I just wanted to know whether the Blue Book Agents work on Saturdays or not. I happened to be at the Tanforan Race Track Saturday, the 22nd. (April-delayed.) I saw our "friend" Wicks down there and his face was not all smiles. I guess he did not connect with any of the fast horses because his face was a mile long.

Sincerely,

A....., a stevedore

EDITORIAL NOTE:

Why should the B. B. agents work Saturday or any other day? Haven't they a few thousand strong backs working for them? And does "A" really think that collecting brass from bootleggers and forcing men to pay into the racket, is work? We might ask—Did Al Capone . . . work? . . . Does a second story man work?

In one sense the B. B. agents do work. For fourteen years they have been working for the shipowners. And we must admit, they have done a good job.

However, we should answer "A's" question. We do not think that all BB agents "work" Saturday.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

It is such a poor day to make money. We hope soon to relieve them of their work on all days. Then "A" will not see them at the track but in the souplines, unless some shipowners reward them for years of faithful service.

—o—

"Red" has been heard to say "this or that man helps to pay my wages." This raised a discussion amongst a few stevedores as to whether the money "Red" gets was wages or highway robbery. One stevedore claimed that it was highway robbery, and richly illustrated his point in the following manner:

"If a man comes into my house, sticks a gun into my ribs and says, 'Give me 75c per month or I'll take the bread out of your family's mouth,' is that man getting wages?" Red does the same only he does it on a dock and he can take your bread by getting you fired.

—o—

SEND YOUR MATERIAL IN EARLY

—o—

THE "NEW DEAL" AND THE WORKERS

The Reconstruction Finance Corporation continues to loan hundreds of millions to the railroads and banks on worthless securities. The government continues to subsidize the ship owners. This is

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)—
part of the "New Deal". Roosevelt is out to bring
back prosperity all right for the bosses. What
about the workers? For the workers the "New
Deal" has brought:

1. A 15% wage cut for all federal employees.
Postmen, mail clerks, soldiers, sailors—what have
you—all took a 15% cut.

2. A cut of close to half a billion dollars in di-
ability allowance s and compensation to wounded and
injured veterans of the last war. And no payment
of the bonus.

3. The loss of millions of dollars of workers' sav-
ings in the closed banks which failed to open.

4. A program of "cheap money"—which means
your dollar buys less and less food and clothing.
Since the new deal started, prices have gone up
an average of 11 points but we don't notice wages
going up, in spite of all the tall stories in the press.
In other words, we all take an indirect wage cut.

What a deal! To us the "New Deal" looks like
a dirty deal for the workers.

—O—

I.L.A. HEAD TO SEND UNION MEN TO WORK FOR A DOLLAR A DAY

Joseph P. Ryan, President of the I. L. A. (at a
salary of \$8,000 per year), President of the Cen-
tral Labor Council of greater New York, member
of the Supreme War Board, etc. has been appointed
to the New York State Emergency Relief Board.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

This makes the fifth job he holds, drawing pay on all of them.

This appointment is in recognition of his services in holding down the starving longshoremen. Recently a committee of unemployed stevedores who visited the State Emergency Relief Board and asked for assistance, were told to go out to the forced labor camps. This means that apart from asking the stevedores to scab at a dollar a day on the reforestation service, Ryan, as a member of the War Board, is out to build a military trained force among the longshoremen. Thus, the relief and war plans go hand in hand.

—0—

BECOME A SUBSCRIBER—We can send the "WATERFRONT WORKER" to your home.

June 1933

page —5—

WATERFRONT WORKER

Attempt to Revive RED BOOK fails!!

That the stevedores on the San Francisco front have lost faith in the old line craft unions was proven a couple of months ago when an attempt to revive the old Red Book, that is, the I.L.A. fell through. Attempting to cash in on the sentiment for organization created largely by the WATERFRONT WORKER, two old timers, former officials of the Red Book, tried to call a meeting with the object of

(Testimony of Sam Dinor.)

Government's Exhibit No. 204—(Continued)
starting up the old union again. Despite the sentiment for organization on the waterfront, the scheme did not work. Why?

First of all, because the longshoremen have seen the craft unions in action. In 1916 and 1919, the stevedores were in the Red Book and the seamen were organized in the I.S.U. controlled by Andy Fourseth. In both years the longshoremen struck and the backbone of both strikes was broken by the failure of the I.S.U. to take up the fight with them. In 1921 and again in 1923 the seamen got a taste of the same medicine when their strikes were broken largely through the failure of the longshoremen to stand by them. The lesson is clear. Unless the longshoremen and seamen are organized in ONE UNION with one united leadership the prospects of success in any big struggle with the ship owners are slim indeed.

THE RECORD OF THE I.L.A.

Second, the stevedores know the record of the I.L.A. to which the Red Book was affiliated. They saw recently the Tacoma longshoremen, where the I. L. A. has complete control, take a cut without a murmur from the union. They know that Ryan, President of the International Longshoremen's Association, signed an agreement with the ship owners last year which included a wage cut for every port on the Atlantic organized in the I.L.A. And they know that when the Boston longshoremen re-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

refused to accept Ryan's sell-out agreement and struck against it, Ryan himself brought in scabs to smash the strike.

We want an organization that will bring results, that will defeat wage cuts and not help the ship-owners force them down our throats. Such a union must take in both seamen and longshoremen—in fact, all workers in the industry. It must do its best to secure united action of the teamsters and all other workers connected with the water front. It must at all times be in the control of the rank and file members and not a small set of highly paid officials.

—o—

Waterfront Worker is more than a paper, it is also an organizer. Support it. Send in your Contributions.

—o—

OUR POLICY

THE WATERFRONT WORKER and the organized group of stevedores on the principal docks which publish it, stand solidly for the organization of such a union. It cannot be built from the outside. It must be built by US, the stevedores, right here on the docks.

Already a start has been made by the organization of small groups of reliable men on the main docks. These groups are beginning to get into ac-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
tion, in a small way for the present. As they grow, they will more and more, organize and lead the fight on each dock against short timing, pay for all travelling time, against the slave driving and abuse of certain bosses and the whole system of petty graft and bribery on the front and other grievances of which there are many.

In the course of the fight for these small demands, we will organize and train ourselves, and we will lay the basis for a powerful union on the waterfront, capable of protecting the interests of all stevedores. Such is our policy.

—0—

The Marine Workers Industrial Union requests us to print the following three announcements:

* * * * *

* Previous to the Unity Convention to be held *
* in New York City on July 16, 17, 18th, there *
* will be a local conference held in San Francisco *
* to take up the special problems of the seamen *
* and waterfront workers in the California Ports. *
* At this Conference delegates to represent Calif- *
* ornia Ports will be elected, Delegates to the con- *
* ference can be elected from groups of stevedores *
* and seamen getting together for this purpose, *
* or from ship crews. For further information *
* write to Marine Workers Industrial Union, *
* 268 Market St. Room 217. The local Confer- *
* ence will be held June 24, 25, 1933. *

* * * * *

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

* * * * *

* On Saturday evening, June 24 the Marine *
 * Workers Industrial Union will give an enter- *
 * tainment and dance at the Worker's Center 1223 *
 * Fillmore St. *

* Admission: Employed — .25c *
 * Unemployed— .05c *

* * * * *

* The New Headquarters of the Marine Work- *
 * ers Industrial Union Is Located at 268 Market *
 * Street, Room 217. *

Page 6

June 1933

WATERFRONT WORKER

UNDER BELOW

RUSSIAN LOU, THE "EGGSPERT"

Russian Louis on the Dollar piers is quite an efficiency "eggspert". He is a timesaver as lowering the boom on the fly or while working cargo which is a most dangerous thing to do while men are working below. He is also getting to be somewhat of a financier and money changer with his cashing in on the brass.

When Louis leaves this earthly sphere, the Dollar Steamship interests will reward him with a niche in the Hall of Fame.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

We have had a bit of information about Amiel, boss on the Matson for a long time, but we desisted from a slam because it would also mean a slam for some of the men. But should we desist?

The fact is that sometime ago Amiel got a gang to paint his house. Under the present conditions on the front some of the weaker ones amongst us will go to that extent to keep the family in groceries and under a roof. But there are also professional belly-crawlers who will do that under any conditions. To the first class we wish to advise that such tactics in the end do not not either help them or anyone else on the front. They make matters worse. To the second class we haven't words strong enough to express ourselves. But we will take care of them when we have more organization on the water-front.

OUR "BETTERS"

How many bosses are there that try to impress us that they are our betters? We got an example of how better they are the other day on Pier #41.

Joe Ferrara—drunk as usual. Joe disappeared inside the foreign ship—to get a few more drinks. As luck would have it, the gang plank was already lifted and Joe, with a few more drinks inside of him, found himself on the partly lifted gangplank. The gang was delighted. Some hollering, "Jump", hoping he was a bad jumper. The rest holloed to

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
the crew, "Take him with you." It would have been a good riddance all right, but there are always more like him.

COMMON INTERESTS

We can be proud of our ingenuity in inventing descriptive names. Even our Australian brothers have heard of it and are trying hard to go us one better and seem to be making a go of it too. Here are some choice ones coined in Sidney, Australia. They all refer to gang bosses.

"The snake"—(No snakes on the S.F. Waterfront?).

"The Spit".

"The Grey Shadow".

"The Admiral"—(Have they heard of Admiral or Lord Nelson?).

"The Blushing Lad"—(We heard that Wine Miller blushed when he was shown the WATERFRONT WORKER).

"The Worm"—(Any worms here?)

BIG BRAINS IN ACTION

In the last issue of the WATERFRONT WORKER we gave an idea of the salaries the big boys get. What do they do for it? Here's an idea:

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

Examiner, May 1, 1933

“Isle Stevedores Evade Injuries”

“Kanaka, Japanese and Filipino stevedores in the Hawaiian Islands have a lower accident rate than other ports, for five reasons.

“The first is, that they generally have large families. In the second place, they work barefoot. Such is the finding of Byron O. Pickard, safety engineer for the Pacific American Steamship Association, and Capt. Francis W. Edwards, assistant operating manager for the Matson Navigation Company.

“They find that the stevedores by going barefoot seem to hold on to pier and dock like an abalone sunning itself on a rock. Hence, they don't fall, nor do they drop cargo boxes on their toes, an operation conducive to more or less discomfort. As for the ‘large family’ factor in safety regulations, the necessity of feeding many mouths makes the island stevedores less anxious about laying off while pursuing crushed feet or other anatomical dents.”

Yes, you got to have brains to be a boss.

—o—

TOO GOOD A SERVANT

There is such a thing as being just a little too good—a little too wise. Harry Cook on #39 is very much that way. Harry goes hog-wild when he sees a piece of cargo. Fast is not enough for him. He tries to be a better servant than any other gang

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

boss, yet he does not seem to hit the mark. When there is any overtime, others get it while he stands by. The fact is that a man can overdo himself. Even the bosses can't stand his hollering and mad antics. Get wise to yourself, Harry?

June 1933

page —7—

WATERFRONT WORKER

CRAFT SCABBING

History teaches many things. Looking back for the last seventy or eighty years, on the Pacific Coast, the conditions of the longshoremen and seamen presented a picture of continuous class struggle. Wages rose and fell in the never ending battle with the shipowners.

Viewed in the light of modern trustified industry the early forms of organization of the stevedores—benevolent societies and mutual protection associations, craft unions, etc.—are in no way in keeping with the present situation. The class struggle against the shipowners for wages and conditions is war and in modern times demands a well developed and trained army. Such must be the modern union.

In the past, every weakness of the stevedores was utilized by the shipowners to their own advantage. One of those main weaknesses was the narrow craft division between the seamen and stevedores in particular. Divide and conquer—was the steam-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

ship owners policy. Craft differences assumed the character of one section of the industry scabbing on the other. The history of the failure of craft unionism is illustrated by many such instances. Even federations of craft unions were common. In this respect, the officials were the most bitter and mainly to blame. There were, and still are, the main opponents to industrial unionism. Local craft or trade autonomy was a constant thing they harped on. Trouble was experienced mainly between seamen and longshoremen. The dispute developed over the discharging of cargo whether the seamen should confine their work to navigating at sea only.

Back in 1887 the "wharvies" in Port Pirio, Australia, requested the sailors of the Pacific not to discharge cargo. The stevedores in San Francisco asked them not to work overtime on the docks.

In December 1891 union longshoremen in Frisco refused to take lumber from the union crew of the "Annie Larson" and forced the captain to discharge the sailors. The breach widened the following March when the union seamen refused the request of the longshoremen's union not to discharge cargo to anyone but union men.

In September-October 1900, there was further trouble in which the teamsters were involved and which finally resulted in the agreement that the sailors work inside the rail, (in the hold) each union to refuse to receive from non-unionists.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

Become a Regular Contributor to Water-Front
Worker

oooOooo

NEWS FROM OTHER PORTS

Red Hook, Brooklyn, N. Y.—A delegate of the I.L.A. tried to collect dues from a longshoremen with a large family. When the longshoremen refused to pay, the delegate struck him across the mouth with a black-jack, sending him to the Hospital where he stayed two weeks.

Baltimore M.D.—Over a hundred negro and white longshoremen, belonging to the International Longshoremen's Association, an A. F. of L. organization, responded to the call of the Marine Workers Industrial Union to march on to Washington to protest against the frame-up of the nine Scottsboro boys, and to demand that the President use his dictatorial powers and release them. Sixty white and fifty negro long shoremen responded.

(By Marine-Worker Correspondent)

Panama Railroad ships alias the United States Government, which runs them gave the boys a cut to "private" scale of \$55 several months ago. Now it is giving them another cut 15% cut, and they are more surprised than pleased at being treated so by Uncle Sam, on the Eve of the great inflation.

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

INTERNATIONAL NEWS

Barcelona, May 22.—Ships flying the Nazi emblem, the swastika, now an official German symbol, will not be unloaded in this port, according to a decision of the Dockworkers Trade Union.

Yesterday, the dockworkers refused to unload a ship flying the swastika and succeeded in beating off the police in a bitter fight that took place at the dock warehouses.

Rotterdam, April 28 (by mail) The Chinese crew of the dutch steamship "Olderkork" went on strike yesterday refusing to sail with a cargo of arms and munitions that had been loaded for Japan.

Today the Chinese seamen were driven on board by armed policemen, aided by secret service men, who brandished loaded revolvers and forced some of the Chinese seamen to march on board with their hands up.

Copenhagen, May 23—On May 1, the sailors of the cruiser "Olderkerk" sent a delegation to the captain, demanding leave from 1 p.m. on. When he asked them if they wanted to join the First of May demonstration they said: "Yes". He then rejected their demand.

The sailors at once voted to go on strike, and after striking three hours they won a complete

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)

victory. The Captain gave the whole crew permission to join the May Day Demonstration.

Material received and not printed in this issue will appear in the July issue

oooOooo

WATERFRONT WORKER

—o—

This paper is issued by a group of long-shoremen for longshoremen. Room 421, 830 Market Street, S.F.

—o—

Extra Men and Swampers

Elsewhere in this issue we publish a letter from a stevedore complaining of the habit of Haskell on the Matson dock keeping the extra men waiting all day and then sending them home without an hour's work. Almost every boss on the front gives the extra men and swampers the same run-around. It's "Stick around boys", and, "Wait until 2 o'clock boys". There is no earthly reason for it. The company knows when the ship will dock. The stevedore bosses know how many men they will use and when they will want them.

It is just about time we put a stop to this stuff and it can be done: All we need is a little organiza-

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
tion among the extra men and some united action and we can compel the companies to establish regular hours of hiring, say at 8 o'clock and 1 o'clock, with no hiring in between. This will cut out the old "stick around" stuff.

Then there is the question of pay for short shift as soon as the job is done. We can win that too if we only buckle down to the job of organization. What do you think about it, extra men and swampers? Let's hear from you! Write!

—o—

The next issue of the Waterfront Worker will be out on time. Watch for it.

AN IMPORTANT EVENT

The great majority of the seamen and longshoremen want to fight back against the present conditions. The strike on the "Point Gorda" in Frisco some months ago, the recent strikes on a number of ships on the east coast, and strike action taken by the stevedores in Boston, Philadelphia and the Gulf Ports in the last two years prove this. The popularity of the "Waterfront Worker", the first real move for organization here—is added proof. But we lack sufficient organization and leadership. The Unity Convention called by the Marine Workers Industrial Union has as its main aim the development of such organization under a unified and

(Testimony of Sam Diner.)

Government's Exhibit No. 204—(Continued)
militant leadership. It is to the interest of the stevedores of San Francisco as well as those of all other ports to take an active part in this convention and to give full support to its decisions.

THE MOONEY TRIAL

Matt Brady, the District Attorney, acknowledged that Mooney was framed on perjured evidence, but he refused to produce this evidence in court so that Mooney could refute it and expose the whole rotten frame-up. Judge Ward agreed that Mooney is innocent but he even refused to allow the defense the right to introduce evidence proving his innocence and instead ordered a directed verdict without one shred of evidence being produced.

These gentlemen are all agreed that Tom Mooney was framed, that he is absolutely innocent—But They Are Also Agreed That He Shall Remain in San Quentin the Rest of His Natural Life. This is class justice with a vengeance! And it all proves just one thing. That Tom Mooney will never be freed until the masses of workers by militant and insistent demand force his freedom!!

THE BLUE BOOK RACKET MUST GO!!

Mr. Del Guercio: And I ask that a photostat copy thereof be substituted for the original.

Presiding Inspector: It may be done.

(Testimony of Sam Diner.)

Mr. Del Guercio: I would like to call the Court's attention to what appears on the first page of this copy:

"This paper is issued by a group of organized longshoremen. We acknowledge the help given us by the M.W.I.U."

And I would also like to call the Court's attention, if I may, please, to this that appears on page two of this issue under the heading "The M.W.I.U. Convention.

"In our last issue we published a letter from the Marine Workers Industrial Union inviting the longshoremen of this port to elect a delegate to the National Convention of the M.W.I.U. to be held in New York City, July 15th. Since that time, we have received the official call for the convention which reads in part:—" and I won't take the time to read what follows.

And also to what appears on page 5 of this issue, on the [872] bottom thereof:

"On Saturday evening, June 24, the Marine Workers Industrial Union will give an entertainment and dance at the Workers's Center, 1223 Fillmore Street.

"Admission: Employed—25c. Unemployed—.05c."

And just below it appears this:

"The new headquarters of the Marine Workers Industrial Union is located at 268 Market Street, Room 217."

(Testimony of Sam Diner.)

By Mr. Del Guercio:

Q. I will show you another copy of the Waterfront Worker, Volume 1, No. 7, July 1933, on page 3 of which appears this:

"Waterfront Worker, 830 Market Street, Room 421, San Francisco, California."

Is that the room in which you were occupying offices at that time?

A. (Examining document) Yes, sir.

Q. And is this another copy of the Waterfront Worker as you knew it then? A. Yes, sir.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order and ask that a photostat copy thereof be substituted for the original.

Presiding Inspector: Received in the same way as the others without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 205.) [873]

GOVERNMENT'S EXHIBIT No. 205

Waterfront Worker

Issued by:

A Group of Longshoremen.

Volume 1, No. 7 Waterfront Worker July 1933

Crew of S. S. Makura Strike in Frisco.

After refusing to work for the last four days the

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
crew of the New Zealand S. S. Makura finally forced the captain to accede to their demand for the regular \$10 draw on their wages at current rates of exchange. All kinds of promises were made by the captain in an effort to get them to turn to. Only their determination that the ship would not sail till all demands were granted, forced a complete surrender by the Company.

Still Speeding Up

Editor Waterfront Worker:

The ways and means committee for speeding up production at Pier 26 has been at work again.

This time it decided that as six slabs of copper in a load wasn't sufficient to keep the gangs busy every second of the time, why not make it seven.

○ Well, seven it has become, and unless some steps are taken to prevent it, we will probably soon be slinging eight.

Here's wishing you luck with the paper, and we hope you keep up the good work.

A waterfront worker

What Does "The News Letter" Mean?

Like the rest of the stevedores we have signed up in the I.L.A. and paid the 50c. Like the rest of the stevedores we are fed up with the B.B. and have organized to finally smash it. It is now up to us to make the new union a real fighting weapon of the stevedores able and ready to win better wages and working conditions and to protect all our interests.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

To do this we ourselves must take control of our organization. The "News Letter" issued by a self appointed executive board has convinced us that we must start doing this immediately. What does this letter contain? And what does it mean to us?

To the surprise of everyone we find out that a complete slate of officers has been installed without a meeting of the men, without the men voting on it or even being consulted on it. This in spite of the fact that a meeting has been promised us daily for two weeks. We also find that there is also an executive board. Who elected it? Have we no say in those things? This letter further states that "Communications have been forwarded to waterfront employers requesting conference for the purpose of considering proper wages and conditions of work." The "News Letter" speaks of a secret ballot? We must remember that that was what was demanded by the ship owners from the Red Book in the 1919 strike. They did not demand that for our good. Experience has shown that the secret ballot can easily be fooled with.

Men elected by the stevedores themselves must handle these matters. This slate of officials, this executive board, are not the doing of the men who signed for the I.L.A. They are self elected. We have time and again pointed out the sell-out puts put over by the high officials of the I.L.A. in other ports when the men allowed a few officials to take

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
their union away from them and run it to suit themselves. (New Orleans strike sell-out; acceptance of two wage cuts in Tacoma without an attempt at a comeback. President Ryan importing scabs to break the spirit of the Boston stevedores in 1931.)

This is bound to happen when the men themselves do not become active in building and running the organization. When the men allow a few officials to run the outfit, the majority lose interest in it and another B.B. is the result. We have had 14 years of the (Continued on Page 2).

Page 2

Waterfront Worker July 1933

"THE NEWS LETTER"

(Continued from page 1)

B. B., we must take care. A bad start has been made. To correct it we propose that we demand the following be done:

1. A meeting of all men who have signed up be immediately called. Lack of a hall is no excuse, we have enough money in the treasury and all kinds of halls are available.

2. That at this meeting the following be done:

a. A chairman be elected from the floor to insure fair hearing to all.

b. The men elect their own officials—these should be stevedores well known to the men on the docks.

c. That an Executive Board of 24 to 30 be nomi-

(Testimony of Sam Dinér.)

Government's Exhibit No. 205—(Continued)

nated and elected from the floor, its members representing the different docks. Such a board should be made up of trusted rank and file stevedores from the docks.

d. That this board be instructed to take care of the negotiations with the ship owners and to report to the membership. Men elected by the stevedores themselves should handle the funds and all affairs of the organization. These are not only our interests but the interests of every other stevedore. We call on them for their cooperation and support in carrying these steps out.

For Rank and File Control. For an Immediate General Meeting.

A group of stevedores

Editor Waterfront Worker:

A bunch of us fellows that live on the Eastbay side and are working at Pier 28 for the American Hawaiian Co. have been wondering why you have never mentioned the fact that when we are ordered to be at work in Oakland we are not paid any fare money. It has been reported to the Blue Book many times and no action taken. A few months ago the same system was started at Pier 26 and is still in force.

A stevedore

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

Craft Scabbing.

(Continued from last issue)

Despite the fact that the various waterfront craft unions were affiliated together in Federations or Marine Councils from time to time, craft rivalry continued on the Frisco Waterfront and at times broke out into open hostility. Under these conditions the life of the central affiliate body was of short duration.

One of the earliest domestic squabbles we can record was in October 1887 when the Steamship men's Union was expelled from the federated trades and Labor Council for "underbidding" (craft scabbing) in a jurisdictional fight. It readmitted the F. T. and L. C. two years later, but again withdrew in 1890 and organized the City Front Labor Council which finally amalgamated with the F. T. and L. C. a year later.

The successor to the City Front Labor Council was formed in 1901. The life of this central affiliate body was as short-lived as its predecessors. In 1902 slumbering rivalry broke out afresh. Without warning the Longshoremen's Convention changed the name of the Union to the International Longshore Marine Transport Workers' Ass'n. This alarmed the officials of the I.S.U. who feared the absorption of their union and incidentally their pie card jobs. The fight was carried into several conventions of the A.F. of L. before the longshoremen

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
were finally forced to resume their old craft union title.

Of all the craft union officials who opposed industrial unity, Andy Feruseth of the I.S.U. was probably one of the most bitter. Under such "leadership" the I.S.U. refused to support the 1916 longshore strike and later the 1919 strike when they withdrew from the Waterfront Federation which also went out of existence.

News From the Banana Wharf

— (correspondence) —

Admiral Nelson, formerly of Pier #35 but at present on Pier #46 has failed to look out for the interest of some of his under-studies. Billy Snow who was a good loyal subordinate under the Admiral, is at present putting some weight on his shoulders. (Carrying bananas).

July 1933

Waterfront Worker

Page 3

(Cut)

THE MAIL BAG

We will need the pages of the Waterfront Worker more than ever. Things will be happening - meetings, differences of opinion etc.

Use the Waterfront Worker to express yourself.

Waterfront Worker

830 Market St., Rm. 421,
San Francisco, California

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

Frank Words From the Rank and File

Waterfront Worker,
Fellow Stevedores:

The "Blue Book" is going to hell fast from now on, thanks to the "Waterfront Worker". In the Waterfront Worker if I recollect correctly, I read that if we would organize into a union of our own we could easily make the shipowner and stevedore contractor give us a nice Christmas present instead of giving them one more this coming Christmas.

June 23 the "Daily News" comes out with the news about the national industrial recovery act, telling how a worker has the right under that act to choose his own union.

A guy by the name of Lee Holman also read the same in the News, and takes advantage of it by getting himself connected with the I.L.A. in Tacoma, Washington, the secretary of the Tacoma, I.L.A. Mr. Bjorlund put Mr. Lee Holman wise how to go about it.

Monday, June 26, 1933 down comes Mr. Lee Holman, selling organized labor for 50c apiece. Pretty good! Who has been putting the spirit in us that we want to organize? No one but the Waterfront Worker. I take off my hat to your paper, because it is sincere and stands only for us workers.

(Testimony of Sam Diner.)

Government's Exhibit No. 205--(Continued)

On everybody's lips is who is Holman? Some say he was in the Charity and Barter Rackets until he found out there was not much in it. According to what I hear on the water front his reputation is not very good. Well, we'll see.

When we get right down to business and start electing our officials for the new union, we should attend those meetings and elect only those who are at

(Continued top of next col.)

present working on the Frisco water front. No one else should be trusted, as even our own kind may turn crooked, but it is up to us to look out for that. I am sure the Waterfront Worker is going to be of great help to us in this way.

This letter is written by a hard working stevedore. I am not affiliated with any other outfit but the Blue Book, which I was forced to join in order to eat. I have signed the I.L.A. petition and have donated 50c. I am out to break the Blue Book with the rest of my 3000 fellow stevedores who have done likewise, but it must be strictly a stevedore's union run by us and not by some expert or wise guy, who is just trying to get rich quick like Mr. Stein from the Blue Book.

A stevedore

Waiting on Pony Maloney

If you, the reader of this article were to ask Jack (Pony) Maloney what horse today has a

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

chance to win, he would tell you. But on the other hand, if you were to ask him what time a ship will arrive, he will tell you he does not know. So therefore, you are compelled under these deplorable conditions to hang around for needless hours where otherwise if they, Jack Maloney and his retinue, would inform us as to what time the ship will arrive, we could eliminate this tedious waiting in suspense. As they have no regard for us, we need not expect any change unless we do the changing. So we should do a little more thinking and then some action.

A waterfront worker

Correspondence not printed in this issue will be printed in future issues.

Page 4

Waterfront Worker

July 1933

UNDER BELOW

(Cut)

The Cattle Market

From a correspondent.

Cushion Foot Olsen at pier 40 McCormick S.S. Co. was out the other day to hire two men. There were some sixty stevedores there and he milled through them for some time before he could make a choice. He would remind you of a stock buyer. The only difference was he didn't feel the muscles or look at the teeth.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

Play Time on 41

At pier 41 Shirmer Stevedoring Co. a crowd of parasites were in the warf playing imitation golf with a coconut shell. George Schirmer seemed to be the lead off men, and they were amusing themselves while the stevedores were dragging heavy loads from one ton up across the dock and sweating blood. Humpty Dumpty Humphries was buzzing around like a fly in a bottle and stepped like one who the whole existence of the universe depended upon. Joe Ferrara, the walker, with his big mustachio, which reminds one of handle bars on a bicycle, had his hat on the back of his head and was racing from one end of the dock to the other trying for more speed. The wharf is literally plastered with signs of Safety first, which is only a blind for investigators seeking information in regards the many accidents which occur there. Let a stevedore try to take heed of the signs and he will soon find the gate.

The Pearl Diver

From a correspondent.

Ed Gordon, a gaffer at Pier 23, a short time ago was a pearl diver (dishwasher) on the White Flyers (Harvard-Yale) so left that work to become a longshoremen and a poor excuse for one as the other fellow had to do his work.

But he did not stay long in the capacity of a

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
worker, and being a good mixer by handshaking he obtained a cheese knife (Shriner's button) and stepped into bossdom. To see him around a ship with gloves on, and he never touches anything, he puts on all the pump and dignity of a count of no account.

Flatfoot the Ambitious
From our correspondent.

When Flatfoot Olsen of McCormick S.S.Co. has not work for his gang, he jumps in one of the other gangs and takes a stevedore's place, keeping you stevedores outside the gate that much longer. He believes if he could get enough overtime with his single-track brain, he would not be long in attaining the status of Ford, Rockefeller, Schawb, and et-al, in a financial way. He is like his ilk all over this front, lording it over the men in his gang with a puerile notion that he is a supermen. If he had the foresight to look beyond his nose he could see numerous self-imagined supermen paving the sidewalks.

Mustachio Joe in a Panic
From our correspondent.

We must not forget Mustachio Joe Ferrara, of pier 41. The other day there was a man distributing handbills advertizing some restorant close by. Mustachio Joe came outside the dock and ogled him for a while and then started circling around him. The Bill peddler could not make him out and

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
got scared and left. Joe, of the bicycle handle-bar mustache thought the bill peddler had the Waterfront Workers and does not know yet what it was all about.

Too Bad

From a correspondent.

Seven Dollar John is not getting his gullet wetted in these times of stress with free booze. Indications point to a time in the not distant future when these knaves will be under control. What have Ritchey, Seven Dollar John, Tanglefoot of the Calif. Stev. Co., and the rest of their ilk, got for their miserable traitorous actions.

Scandal ??

The above is more than scandal otherwise it would have never reached this page, included in these scandal items are some of the most burning grievances on the Waterfront.

Looking them over we see. The unlimited power of the gang boss to choose according to his own taste and without least consideration for the men.

The ridiculous spectacle of the walls plastered with safety first signs alongside mad and killing speed up.

Keeping hundreds of men tied to the gate. . .

Petty grafting bosses . . . These are the things we should keep in mind when we start cleaning up the waterfront.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

July 1933

Waterfront Worker

Page 5

(Cut)

ON THE SPOT

Sapping the B.B. Treasury

Thirty Thousand odd bucks is quite a fair amount of "dough" especially when viewed in the light of a stevedore's wages and the years of toil and sweat that it takes to earn that much. We are referring to the B. B. treasury, every cent of which has been dearly earned.

Now there has come a change on the Front. The B. B. must go and "Red" will no longer be able to collect dues as of old. But what of the treasury that still remains, even though the membership is gone? Do you think Stein will turn it back to the stevedores and reimburse the membership? Not likely. No! Mr. Stein & Co. will sit tight as long as they have ten members, as provided by the constitution, and will sap the treasury until there is not a cent left. At the rate of wages they are paid it ought to last them about five or six years.

What can the stevedores do about it? Taking it to court would be useless, and from the legal angle of the constitution things are pretty tight. According to Sec. 7, Art. 17, "The funds or property. . . shall not be divided among the members except by unanimous consent of all the members present at an advertised meeting; but shall remain

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)
the property of the Association as long as there are ten (10) members willing to continue it."

Well, it takes eight members in good standing to call a special meeting. What do you think are the chances of getting some of that "dough" for the stevedores?

B. B. Society Notes

Red has been on a "vacation". He'll soon have another and a long one, too.

Stein & Co. are very busy now-a-days; pulling strings to save the racket. It's no use. It won't be long now.

News From Other Ports

Everett. A form of equal distribution of work is applied in this port where working conditions are among the best on the Pacific Coast. Last month every stevedore made the \$55 maximum wage. This limit which was set to prevent the bosses' pets from hogging all the work and to prevent black-listing, is not favored by the Fink Hall or Stevedoring Companies who have done everything possible to break it. As in Portland the I.L.A. has gone out of existence. The only organization remaining to back the grievance board being a stevedore's social club.

Seattle. New labor saving machinery in the form of the high piling lift truck has been adopted on the Admiral Line docks, displacing sixty men.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

It is reported that similar measures have been adopted on the Admiral Docks in other ports.

Philadelphia. The I. L. A. is putting on its seventh annual button drive and Polly Baker, the local organizer, is up to his old tricks. Every morning he is to be seen on the waterfront accompanied by his bodyguard, which includes his right hand thug, Krouzberger, who has been expelled at least five different times from the I. L. A. Polly no longer does his flagging (pulling a man off the job) personally since a stevedore bent a lead pipe around his dome. Despite all of this not many new dollar buttons are to be seen on the front.

Brooklyn, N.Y. Vigorous protest took place on Pier 18 against the job racket of Mr. Martino, boss stevedore for Castellano Bros., Stevedoring Co.

Martino is also the bootlegger who sells wine to the longshoremen's boarding houses owned by the I.L.A. delegates, Patsy and Comardo. Naturally since the jobs go from the boardinghouses, the stevedore who buys the most wine gets the most work. This is why the longshoremen gathered on the dock and raised hell.

Stockton. Stockton has a channel to the sea which was completed a short while ago. Commodities, fruit, canned and fresh, grains, barley, rice, beans and other cargoes will be loaded at Stockton, thereby cutting into the bay district's shipping.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

Page 6

Waterfront Worker

July 1933

Waterfront Worker Calls Meeting**In Eagles Hall**

Despite the most vicious slander and the ridiculous and lying accusation that the Waterfront Worker was the same as the B. B., about one hundred stevedores attended the first open meeting called by the Waterfront Worker in co-operation with the Marine Workers Industrial Union to hear a report on the new National Industrial Recovery Act and its relation to the present organizational move on the Front.

"Don't got to this meeting", Holman and Colburg told the stevedores, and in regular A.F. of L. fashion brought forward the "red" scare. "It's the Communists, and if you go there it will mean strike. We can get the old scale for you without fighting."

The Stevedores were urged to beware of wild promises made that wages and conditions would be improved under the National Industrial Recovery Act. As an example, the new code for the textile industries set the basic wage at \$12 a week in the north and \$11 a week in the south. In the same way the longshoremen would not receive a cent increase under the new act unless they were sufficiently organized under a militant program to enforce demands.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

It was pointed out that many stevedores have been "sold" on the idea of getting a few officials to do their fighting, but this will not solve the problem. Stevedores should beware of those leaders who promise the world. Anything may be better than the B.B., but it was pointed out that the only way to be sure that this new I.L.A. would not be another B.B. masquerading under a different name, was to take no chances, but to organize fighting groups within the I.L.A. itself, to elect honest officials and to put forward a militant program in the interest of the rank and file and in this way prevent any clique control.

—oOo—

As in the past the Marine Workers Industrial Union has given us their cooperation and help in issuing this paper.

The next issue of the Waterfront Worker will contain the report of the Unity Convention being held in New York July 16, 17 & 18th.

Some Aspects of the "New Deal".

The National Industrial Recovery Act with its high promises has succeeded in building more false hopes and illusions in the mind of the workers than any other scheme so far offered to solve the crises.

Practice has already shown the lie of these promises. In the textile and needle industry where

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

codes have been fixed, the wages now are set at \$12 in textile and \$15 in the needle industries.

It is important to note that \$22 was the average in the needle industry before the setting of code.

In California in the needle industry minimum wage law for women calls for \$16. The code reduced the scale to \$13.20. The code has just started to work and we already have those examples.

What more can be expected can be gleaned from reports in the S.F. Examiner of July 13. "At his (Roosevelt's) direction Hugh Johnson is studying the possibility of a blanket code establishing a 35 hour week and \$14 minimum wage for all industries". In figures this means 40c an hour (inflation money at that). "Johnson called a hearing Wednesday on a code for ship-builders providing a 40 hour week and a wage scale of 35c and 40c

an hour. With the dollar have dropped about 25% these wages are low indeed. On the Waterfront a wage raise of 20c would make the wages even as compared with the value of the dollar a few months ago.

Another provision that has been hailed far and wide is recognition of workers representatives by the arbitration board. However only representatives are accepted who are willing to accept these starvation codes. The few codes quoted above been carried through with the approval and help of the A.F. of L.

(Testimony of Sam Diner.)

Government's Exhibit No. 205—(Continued)

It can be seen already that this Act as an Anti-working class measure. We must organize not only for conference table but for the protection of our standards of living with action.

Merchant and Navy Sailors Haul Down
Hitler Flag.

Olympia Wash. German S.S. Portland raised a Nazi flag while lying at Olympia dock, next to the frigate "Constitution". Stevedores joined by sailors from the old "ironsides" from the S.S. Lewis Luchenbach and the Danish motorship "Amerika" they pulled it down. The flag was not flown again.

Mr. Del Guercio: I would like to call the Court's attention to what appears on page 6 of this ~~Waterfront Worker~~. It reads as follows:

"As in the past the Marine Workers Industrial Union has given us their cooperation and help in issuing this paper.

"The next issue of the Waterfront Worker will contain the report of the Unity Convention being held in New York July 16, 17 & 18th."

By Mr. Del Guercio:

Q. Do you know Walter Lambert, Mr. Diner?

A. I do.

Q. Do you know him as a member of the Communist Party?

A. I do.

(Testimony of Sam Diner.)

Q. Do you know what position he occupies or occupied in the Communist Party?

A. I think he was at that time District Secretary.

Q. District Secretary. "At that time" what do you mean? During the 1934 strike?

A. During my presence in the Party.

Q. During the time that you were a member of the Communist Party?

A. Yes, sir.

Q. Mr. Diner, are you familiar with the premises of 121 Haight Street, San Francisco?

A. Yes, I am.

Q. What is that place? [874]

A. It is the headquarters of the Communist Party.

Q. Headquarters of the Communist Party. Did you ever hold title to that property?

A. I did.

Q. When?

A. I don't remember the exact year.

Q. Well, did you purchase the property?

A. I did.

Q. Would you tell us how you purchased it?

A. Bought it.

Q. Well, for yourself?

A. No.

Q. For whom?

A. For the Communist Party.

Q. And through whom did you purchase the property? How did you do it? Will you tell us all of the transaction concerning that, the purchase of that property.

(Testimony of Sam Diner.)

A. Before we purchased the property we had an office—I say “we” because I was a member at that time.

Q. A member of the Communist Party?

A. Yes; that is why I use the name “we”.
(Continuing) —at 37 Grove Street, and right after the general strike this place was supposed to be vacated; the Party got orders to move. And we looked around for some other quarters which we couldn't find. Finally this place was for sale. It was [875] owned by the Young Hebrew Association. And I was told to fish around, so to speak, to find out what it could be bought for, and I went to the man that was the Trustee, part of the Trustee, one of the Trustees, rather, of that property. His office was at Sutter Street someplace. I went in there and found out all particulars about it and came back and reported. There and then it was decided that I am to purchase that place in my name; that was the transaction.

Q. Well, now, who told you to do these things?

A. Mr. Darcy.

Q. Sam Darcy? A. Yes, sir.

Q. He was then the district organizer of the Communist Party? A. Yes.

Q. And who gave you the money with which to purchase the property?

A. Well, the money was brought by Mr. Gallagher to me.

Q. Mr. who?

(Testimony of Sam Diner.)

A. Mr. Gallagher, Leo Gallagher.

Q. Is that an attorney from Los Angeles?

A. Yes.

Q. He gave you the money to purchase this property? A. Yes, yes.

Q. And you understood that you were purchasing it for [876] whom?

A. For the Communist Party.

Q. You weren't purchasing it for Leo Gallagher? A. No.

Q. But he gave you the money?

A. Yes, sir.

Q. And was the title to the property given in your name? A. Yes, sir.

Q. And did you execute any instrument to either Leo Gallagher or to the Communist Party regarding this property to the effect that you were holding it either for Leo Gallagher or the Communist Party? A. Oh, no, no.

Q. You had both the legal and equitable title to the property? A. That is right.

Q. Were there any other persons named on the instrument as being owners of the property?

A. Well, afterwards two more came into the picture; I didn't know them.

Q. You didn't know them?

A. Not at all.

Q. Well, did you give the two others an interest in the property? Did you execute some kind of an instrument [877] transferring—

(Testimony of Sam Diner.)

A. (Interposing) I was told to do it.

Q. You were told to do it by whom?

A. Mr. Darcy.

Q. Sam Darcy? A. Yes, sir.

Q. How much money did you pay for this property?

A. I don't remember the number; it is a few thousand dollars.

Q. A few thousand dollars, Did you give a receipt to Mr. Gallagher for the money that he gave you? A. No.

Q. Just handed you the money?

A. Yes, sir.

Q. Mr. Gallagher, do you know him as an attorney for the ILD in Los Angeles?

A. I do.

Q. That is the ILD, the International Labor Defense? A. Yes, sir.

Q. I will show you what appears to be a contract to purchase certain property dated San Francisco, California, May 21, 1935, and ask you if you recognize that?

A. (Examining document) Yes, I do.

Q. What is that?

A. My signature is there. [878]

Q. Your signature. You are the Sam Diner mentioned therein? A. Yes, sir.

Q. And this shows that you paid \$500.00 down. Did you put a deposit as indicated on this instrument of \$500.00? A. I did.

(Testimony of Sam Diner.)

Q. To secure the sale of the property?

A. I don't remember the amount, but I did.

Mr. Del Guercio: I will offer this in evidence, if your Honor please, as Government's Exhibit next in order.

Presiding Inspector: Received without objection.

Mr. Del Guercio: And I ask that a photostat be substituted.

Presiding Inspector: Yes.

(The document referred to was received in evidence and marked Government's Exhibit No. 206.)

By Mr. Del Guercio:

Q. How long did you hold that property in your name, Mr. Diner? For how long a period?

A. Not very long, just months.

Q. Months? A. Months.

Q. Then, what did you do with it?

A. I was told to assign the property to somebody else.

Q. Who told you to do that? [879]

A. Mr. Gallagher.

Q. Mr. —? A. Gallagher.

Q. Leo Gallagher? A. Yes, sir.

Q. And to whom did he tell you to assign it?

A. He brought three people to the office; that is all I know.

Q. Do you know the names of the people?

A. No, I don't.

(Testimony of Sam Diner.)

Q. And did you assign—

A. (Interposing) I did.

Q. (Continuing) —your interest and your title, whatever interest you had in this property to these three people?

A. That is true.

Q. You executed an instrument?

A. What?

Q. You executed an instrument?

A. No; just signed it.

Q. You signed it?

A. That is right.

Presiding Inspector: That is what he means.

The Witness: Yes, I signed an instrument, that is right, a release.

By Mr. Del Guercio: [880]

Q. Did your wife also have an interest? Was she shown as having an interest in this property?

A. No; she signed over all the community rights to me at the purchasing time.

Q. And did she give a release to Leo Gallagher also, or to anybody else?

A. I don't think so.

Q. But she did execute a release to you?

A. To me.

Q. Did you ask her to do it?

A. No; I was told to do it.

Q. Who told you to do that?

A. Mr. Gallagher.

Q. Do you know, Mr. Diner, whether or not the International Labor Defense had its offices at 121 Haight Street during the 1934 strike?

A. I don't know.

(Testimony of Sam Diner.)

Q. You testified, Mr. Diner, that you had about —that you handled, rather, about—I don't remember the exact amount—but about \$10,000 during the time that you were Secretary-Treasurer of the Emergency Defense Committee during the 1934 strike.

Now, how much of that money did you put up as bail?

A. Oh, most of it, I guess, with the exception of some [881] money left.

Q. And what became of that bail money?

A. I don't know.

Q. Well, did you get it back? A. No.

Q. Did anybody get it back?

A. All the receipts made out from the bail clerk was made to my name.

Q. When you deposited bail you mean you—

A. (Interposing) Whether I deposited or somebody else deposited it. Now, not all the time did I go bail out people; I gave the money to somebody else and a receipt was made out in my name. So, after it was all through, I endorsed those receipts, and whoever got the money, I don't know.

Q. Well, to whom did you endorse?

A. To the ILD.

Q. To the ILD? A. Yes, sir.

Q. To any particular person?

A. Well—

Q. (Interposing) In the ILD?

A. Well, Elaine Black was the Secretary.

(Testimony of Sam Diner.)

Q. Well, did you assign these receipts to Elaine Black?

A. Not in her name. I just endorsed it, my signature, and anybody can collect the money if the endorsement is [882] correct.

Q. Well, did you receive any of that money from Elaine Black or from anybody?

A. I was not supposed to receive any; I was all through with the money.

Q. No, I mean—perhaps, you don't understand my question.

Did you receive any of that money that you put up for these various bails there, to bail out various people? Did you receive any of that money?

A. From who?

Q. From the ILD or from Elaine Black?

A. No.

Q. Well, who told you to assign those receipts to the ILD? A. The Party.

Q. By "the Party" you mean what?

A. Darcy.

Q. Sam Darcy? A. Yes, sir.

Q. Sam Darcy who was then the district organizer of the Communist Party? A. Yes, sir.

Q. He told you to assign those receipts to the ILD? A. Yes. [883]

Q. Mr. Diner, you say you left the Party in 1936?

A. Either in '36 or '37; I don't remember the date.

(Testimony of Sam Diner.)

Q. How did you terminate your connection with the Communist Party? A. I was expelled.

Q. For what? Why were you expelled? What caused your expulsion?

A. It would take four days if I tell you what caused it.

Q. We don't want to take four days, but can you state briefly just what caused your expulsion from the Communist Party?

A. Well, for the last two years prior to the expulsion the Party and I didn't agree in various policies and actions in the Union. By the way, I want to state at that time I was organizer for the International Ladies' Garment Workers Union, a paid officer, and my business was to secure jobs for workers irrespective of where they are affiliated, or who they are affiliated with, and from then on there were rifts between the Party and myself, and the various members that belonged to the union or Party members began to disagree on policies and action, as far as I am concerned. Several times I was called to the test to state my position in the union now, why I changed my entire point of view regarding the situation and workers, obtaining jobs and securing their livelihood, and from then on we began to quarrel quite often, and when Sam Darcy left the city and [884] somebody else took it over, Schneiderman, from then on we began to disagree entirely on policy.

Q. You mean after Schneiderman appeared?

A. After Sam Darcy left.

(Testimony of Sam Diner.)

Q. And Schneiderman appeared as the district organizer?

A. Yes. [885]

Q. Why did you continue with the Communist Party during the time that you were having these differences?

A. Well, I was waiting to be thrown out.

Q. You were waiting to be thrown out?

A. Yes.

Q. You say that most of the differences were caused because of your action in your trade union?

A. I was a better union man than a member of the Communist Party.

Q. And was that what caused your rift with the Communist Party?

A. Yes.

Q. In what way were you a better union man than a Communist?

A. I will explain that a little bit more.

In my office I had a chart, as big as the background here (indicating), and it was divided into the amount of sections that existed in the industry—operator, presser, cutter, finisher, helper; whatever it was—and if anyone came up to ask for a job, an operator came up and asked for a job. I looked at the chart and saw that he was next to get a job and was way below; and I told him that he is the sixth one on the list to get a job. That is what happened.

Q. Let me see if you make this clear. A Communist would come to your office looking for a job— [886]

A. (Interposing) I didn't say that. I will

(Testimony of Sam Diner.)

come to that later. I say any worker who came to town and asked for a job as an operator, I will say, I looked at the chart and saw that in order for him to be eligible to get a job he has to come next—

Q. (Interposing) He has to wait until his turn comes?

A. Yes. But sometimes I got a note from the headquarters of the Communist Party to put that person to work.

Q. Would you do it?

A. I refused, told him when he was the next to come he would get a job. I said, "I am working for the Union now."

That is the beginning of the trouble and that is what happened.

Q. For how long a period did this continue?

A. This continued until I was out of the Party.

Q. Were you given a hearing by the Communist Party?

A. Oh, yes.

Q. When was that?

A. Well, in the industry where you are a member there is existing a Fraction, organized by the members of the Communist Party from the particular Union that you are a member of. That Fraction meets once a week.

Q. This Fraction is composed only of members of the Communist Party?

A. Yes; within the industry. [887]

Q. Within that particular Union?

A. Correct.

(Testimony of Sam Diner.)

Q. And not open to anyone else?

A. No. At that Fraction meeting you discussed problems concerning the Union, how members of the Communist Party should proceed and act. There I was brought on the table that I am not acting as a Communist. By the way, I was not present at those meetings—I was not present at the end of those meetings but at the beginning I was—later on I refused to come to the Fraction meeting. When I was absent at that meeting somebody preferred charges that I am not a good member of the Communist Party, and I don't act within the framework basically of the Communist Party activity in the Union.

I was called to the Disciplinary Committee on Labor Day, 1936 or 1937—I don't remember—and there was a committee to question me about the various rumors and accusations.

By the way, the organizer of the Fraction meeting was present to present their case.

They analyzed the arguments, and they told me at that time that there is no room for expulsion, but they warned me if it happened again that I will be expelled.

Q. You mean they told you there was no ground for your expulsion?

A. No.

Q. You mean that is what they did tell you?

[888]

A. Yes.

Q. Were you told to be a better Communist than a trade union man?

A. I was.

(Testimony of Sam Diner.)

Q. What did they mean by that, to be a better Communist than a trade union man?

A. It means a lot of things.

Q. Does it mean that you cannot be a good trade union man and a Communist at the same time?

A. Personally, I don't think so.

Q. You mean you cannot be a good trade union man and a Communist at the same time?

A. You cannot.

Q. You can't.

A. To the best of my ability I was trying to and it didn't work.

Q. What happened after that, after you were advised by this Disciplinary Committee to be a better Communist than a trade union man?

A. What happened?

Q. What happened after that?

A. After that?

Q. Yes.

A. After that I was expelled; two weeks after that.

Q. Were you officially expelled and notified of it? [889]

A. No.

Q. How do you know that you were expelled?

A. A friend of mine met me on the street and said "Did you see the Western Worker this morning?"

I said "Not yet."

Q. Did you say the Western Worker?

A. Yes. I said "Not yet."

(Testimony of Sam Diner.)

He took me up to his room and showed me a little clipping at the bottom of the paper that I was temporarily expelled until I will be proven otherwise.

Q. Were you advised to that effect?

A. No; no, not at all.

Q. Were you told that you could appeal from that decision?

A. Oh, yes.

Q. By whom?

A. Well, I was told by various people in the Party headquarters, I mean, higher-ups. I don't recollect their names. I did talk to Foster here once.

Q. Foster?

A. William Z. Foster, and I talked to Earl Browder when he was here.

Q. When did you talk to Foster and Earl Browder?

A. Regarding the situation that the Party claims I am not a good Party member, and a good union man.

Q. When did you talk to Earl Browder and Foster? [890]

A. I talked to Browder after the expulsion.

Q. After the expulsion?

A. Yes.

Q. What did Earl Browder advise you to do, if anything?

A. Well, he says I can appeal, and they offered me to pay transportation to go down to New York to meet with the Central Committee about this question of mine.

(Testimony of Sam Diner.)

Q. Did you take up the offer?

A. No, I didn't.

Q. Why?

A. I wasn't interested any more.

Mr. Del Guercio: May we have a recess?

Presiding Inspector: Yes.

(Whereupon a short recess was taken.)

Presiding Inspector: We will resume.

By Mr. Del Guercio:

Q. Just one more question, Mr. Diner. Referring back to this Communist Party Convention at Fresno, California, was that convention of the Communist Party in any sense of the word a purely union matter, trade union matter?

A. No; it was a Party matter.

Q. It was a Communist Party Convention?

A. Yes, sir.

Mr. Del Guercio: That is all. You may cross examine.

Mr. Grossman: Your Honor, we wish to ask for a postpone- [891] ment of the cross examination of Mr. Diner for the reasons we stated before.

I would like to state to your Honor that we definitely did not anticipate, or know about, or even hear any rumors about the testimony of this man, so we made no preparation whatsoever. We think this falls within the discussion that was had at various times before with respect to our being caught unawares. We think that a reasonable time for preparation would be about two days. We, there-

(Testimony of Sam Diner.)

fore, request that we be permitted until Friday to cross examine Mr. Diner.

Presiding Inspector: I think you can proceed to some extent. We won't pass on the question of whether you must conclude the cross examination at this time. But there are a lot of matters that have been covered here that fall within the knowledge of your client that you must know all about.

Mr. Del Guercio: May I be heard?

Presiding Officer: I do not think it is necessary.

Mr. Del Guercio: All right.

Presiding Inspector: Proceed.

Cross Examination

By Mr. Grossman:

Q. Mr. Diner, you have been a bit indefinite about the time when you were expelled from the Communist Party? A. What?

Q. I say you have been a bit indefinite about the time [892] when you were expelled from the Communist Party.

Mr. Myron: Now, just a minute, your Honor. That wasn't the question. He didn't say he was—

Presiding Inspector: (Interposing) Well, that is getting a start. He hasn't asked the question yet. Go ahead.

By Mr. Grossman:

Q. As I recall your testimony, the best you could do was to say it was some time in 1936 or some time in 1937. I would like to have you give some

(Testimony of Sam Diner.)

attention to that and see if you can fix the time more definitely with relation to any event, for example.

A. Well, the event was right after Labor Day.

Q. But is there any way that you can determine whether it was more likely in 1936 than '37, or vice versa?

A. No, I think it is in 1937.

Q. Was there anything happening in the union at the time you were expelled, or before that time or soon after, that would give you some inkling as to the year in which it took place?

A. No.

Q. At the time you were expelled were you a member of the union still?

A. I was Business Representative of the union.

Q. That is of the ILDWU, is that correct? [893]

A. Right.

Q. For how long after you were expelled did you remain, did you hold that position in the union?

A. A few weeks.

Q. Then, by determining when you left that position in the union it would be possible to determine which year you were expelled from the Communist Party?

A. I think it was in 1937.

Q. And what were the circumstances surrounding your leaving your position with the union?

A. There was no circumstances at all.

Q. Did your term expire?

A. No.

Q. Had you been elected to that office you held?

A. Yes, sir.

(Testimony of Sam Diner.)

Q. May I have the name of that office again, please?

A. Business Representative of the union, International Ladies' Garment Workers Union.

Q. All right. Did you discontinue holding that position at the end of a term or in the middle of, or during a term?

A. Well, it was towards the end of the term.

Q. Well, but was it the end or just toward the end of the term?

A. Towards the end of the term. [894]

Q. All right. Did you leave that office because of some action of the union?

A. Yes, sir.

Q. You are sure of that, aren't you?

A. Definitely.

Q. All right. What were the circumstances that surround your leaving that office?

A. There was no circumstances at all.

Q. Well, tell me how it happened?

A. I just happened.

Q. What do you mean? The union just threw you out or what?

A. Oh, no; I am still carrying a union card.

Q. Mr. Diner, you know better than we do why you—

Mr. Del Guercio: (Interposing) Just a minute. That is argumentative, if your Honor please. Know better than who does?

Presiding Inspector: Well—

(Testimony of Sam Diner.)

By Mr. Grossman:

Q. Mr. Diner, do you know why you discontinued being——

Presiding Inspector: (Interposing). Go ahead. I think it is merely the form of counsel's question.

By Mr. Grossman:

Q. Mr. Diner, do you or do you not know why you dis- [895] continued holding that position with your union?

A. Well, if you want to know I am going to tell you.

Q. The question is, Mr. Diner, do you know?

A. I have to say more than "No" or "Yes".

Q. You mean you can't answer "Yes" or "No", whether you know?

A. Unless I elaborate the situation broader than you want me.

Q. All right, elaborate.

A. Somebody's ears might ring when I say that, but I can't help it.

In 1936 Sam Darcy was wanted by the law and he was out of the country. I received various communications from Mr. Darcy from abroad sent to New York and resent to me.

By the way, this I am revealing I have never said up 'till now, before the agents, even. The counsel forces me to say that and I am saying it.

Q. Just one moment before you continue, Mr. Diner.

Mr. Del Guercio: Now, just a minute. Don't

(Testimony of Sam Diner.)

interrupt the witness. He is answering the question.

Presiding Inspector: I have got to hear what counsel is saying. Go ahead.

Mr. Grossman: I have a right to make a statement.

Presiding Inspector: What is it you wanted to say [896]

By Mr. Grossman:

Q. Now, you recall, Mr. Diner, what the question was. It dealt with why you left your position. Now, this is an answer that you say must be made in order to explain why you left your position.

A. Definitely.

Mr. Grossman: All right.

Presiding Inspector: In the union?

The Witness: In the union.

Mr. Grossman: All right, continue.

Presiding Inspector: All right, go ahead.

The Witness: I received one letter from Norway telling me that I should try to find possible means to squash that indictment that the State of California had against Mr. Darcy. He mentioned names who to go to and I did go.

When the Party got wind of the situation I was called before the Party Committee and they asked me to turn over the letter to them because they wanted to compliment Mr. Sam Darcy for sending mail to me and telling me what to do. I refused to turn over those letters to them and I also refused to talk about the question altogether.

(Testimony of Sam Diner.)

Besides being the district organizer from the Communist Party I had a brief friendship deep in my heart for Mr. Sam Darcy, and I just kept it for myself, with one more person in this community, because he told me to consult with that [897] particular person. The reason I don't mention that name is because I don't want to involve anyone that was misled just like anybody else on this question.

I proceeded with the various instructions that Mr. Darcy gave me and it began to look favorable, and about—and I answered the letter right away, that I am doing everything possible on the question mentioned. I didn't tell him what or when, in the mail. About two months later I received another letter from Paris telling me a certain initial, and I knew what the initial was, to go and see whether the thing could not be straightened out. And he also mentioned the very same person as he mentioned in the first letter, and I should try to raise funds to see whether it isn't possible to squash the entire thing.

The attorney involved is dead now and I refuse to mention his name at present. This is the name, the initial that Mr. Darcy gave me instructions to talk. The reason he gave that name, because that particular person done things in the past such—similar to things like that, trying to straighten matters out that should come before the law and didn't.

I said before that outside of being district organizer I had a brief friendship towards Mr. Darcy, and if God himself would come to me and tell me not to do it I would do it anyhow. Now, that is the truth.

(Testimony of Sam Diner.)

I went out to various sources trying to collect money, [898] borrowed money, and I paid some of the money back myself for two years in order to make the debts that I borrowed to squash that thing.

I went to that attorney and I said, "How much?" Now, that is speaking plain language; how much. He said, "A thousand dollars." Well, I had previous transactions with that person and he took my word for it that the thousand dollars would be paid after the job is done. I gave him \$300.00 as a retaining fee to see that this case should not come to trial.

And I went to a friend of mine here in town, a manufacturer, that previously I worked for him, and that might be important to mention. I had lived once in Vacaville and one morning I came to work and I didn't whistle. I used to whistle when I worked. That is a song, perhaps, they wrote about that. And I was happy all the time when I worked, and that morning when I came into work I didn't whistle and I didn't sing and I didn't work. So after 5:00 o'clock he wanted to know is anything wrong with me, called me into the office, and I said, "Well, it is a private matter." "Is anybody sick?" I said, "No." Then, finally he wanted to know what was the matter. I told him that the mortgage at the French American Bank is due the following morning of \$820.00 and they will foreclose my little home in Vacaville and I don't feel happy about it. That man called his book- [899] keeper and he wrote out a check in my name for \$820.00. That was in 1924.

(Testimony of Sam Diner.)

Ever since he was a friend; I don't consider him as a boss; I considered him as a friend and I worked for him for many, many years after.

As I said before, I was trying to raise that thousand dollars very bad. I raised the \$300.00. I went to this particular man and I told him I needed a loan. He said, "Well, I had a bad season. How much is it?" I says, "As much as you can spare" and he made out a check to me, S. Diner, for \$50.00.

What is this all about? I will tell you what, if the defense attorney wants to know. I was caught between the devil and the deep sea. At the International Union offices I was a rat, a Communist, a disrupter, trying to organize the workers for the Communist Party instead of for the union. At the union I was a renegade—at the Party I was a renegade, not trying to organize the workers on the matters that they told me to organize. And by the way, I was elected Business Representative, despite the International officers; they were against me from the beginning until the end. They knew my affiliation.

Once we had a convention here in town and Mr. Dubinsky called me in his hotel and said; "Sam, you are a fine guy, you are a capable person. I will take you to New York. You are wasting your time here."

I said, "No, this is my place. [900] I started something here and I am going to finish it." He said, "Tell me, are you a member of the Communist Party?" I said, "Yes." Well, that is at least more than anybody else answered, and he didn't like that.

(Testimony of Sam Diner.)

And they were trying to find every means of avenue to get something on me in order to oust me out of the office.

We had a joint relations committee established in our union, Mr. Cargar. He was the original director of the NRA.

The Reporter: Spell that name, please.

The Witness: I don't know.

Mr. Cargar was a stooge for the International Ladies' Garment Workers Union against me. Why was he a stooge? Why were they so determined to get me out of the office? That telephone in my office was never idle, and in all the other offices there was extensions. They listened to it. One day Gallagher called me; one day Hanoff called me; one day this guy called me; the next day somebody else, and they knew that I am not attending to my business. They had all those things ready for in case of an explosion, but the workers were for me. The workers knew that I am a member of the Communist Party. I had stated so in the open meeting that I am a member of the Communist Party, but I am also a worker; I am a member of the industry. And the workers were the ones that kept the morale going, as far as I am concerned. That Cargar, his function was to look to the payroll and report to me whether a [901] worker was underpaid according to the minimum wage scale established in that industry. His records—his function was, as I said, to look over every payroll, and there he found a payroll made out, a check to Sam Diner for \$50.00. Now, we got him. Instead to

(Testimony of Sam Diner.)

come to me and ask me that question he wrote a letter back to Dubinsky that "I have just got the fellow where you want him. I have a check made out to Mr. Sam Diner for \$50.00."

In other words, they pretended it to be a bribe or a graft, \$50.00. So Dubinsky instructed the office here to have a trial, and before the trial took place the party called me and they said, "We know that you did not take \$50.00 bribe." And by the way, that manufacturer is the most peaceful person in the entire industry, never had a strike, a small concern, very small, and never had a trial, never had a strike, never had any difficulty with that particular man. There was no reason for him to give a bribe. The Party knew it and before the trial took place they called me. They said, "Sam, you are shielding something. What is it?" I said, "Nothing. I did not take it as a bribe. If I wanted to take the \$50.00 as a bribe I would certainly not take a check made out to Sam Diner. I am smarter than that."

So it is an obvious case that this thing is private thing and it is between me and the man that I took \$50.00 from, but they knew deep in their hearts that I am shielding something [902] that I will not reveal.

During the time of the trial Walter Lambert's brother and somebody else came out to my home and asked me for the letter that Sam wrote, the last letter, because they wanted to prefer charges against Sam Darcy. And by the way, Sam Darcy was expelled as a member of the Central Committee at the very same time, but in order to substantialize their argument I should turn over the letter. And I

(Testimony of Sam Diner.)

showed the letter to Mr. Schneider—Schneiderman, the present district organizer. I showed him the letter and he promised me, on his word of honor—I was there at the office—that he will read the letter and give it to me back, and he kept his word for once and he gave me the letter back, and a few days after the very same committee came out and said to me, “Give us the letter because we want to prefer charges against Sam Darcy for writing you a letter of that sort, not to us.” Their vanity was touched, and I refused to give the letter.

When the Party told me again I was doing wrong I still refused to submit the truth of the matter. It was not a question of lying. I had no motive in it. I had nothing to gain. But it was a question of shielding a friend. That is all I did.

This was a major issue, and the Union and the Party at that time they united themselves to convict me as unbecoming an officer in the Union until such time that I will be able to prove worthy of the situation when the Party will take me back and I will be able to run for office again. [903]

That is your answer.

Q. I still don't have an answer. Do you mean that—

Mr. Del Guercio: (Interposing) You have your answer. I object to that statement of counsel.

Mr. Grossman: The record will speak for itself. I tried to find out how he left his office and he still hasn't fold me.

(Testimony of Sam Diner.)

Mr. Del Guercio: I insist that he has.

By Mr. Grossman:

Q. Must I assume that Mr. Dubinsky framed you so this Union threw you out from that office?

A. I didn't say that.

Q. Then how did you happen to leave the office? Did you resign?

A. No.

Q. How did you get out?

A. I said a minute ago that I was tried and found not competent enough to be a business representative.

Q. By whom were you tried?

A. By a committee of the Union.

Q. Was it elected in the usual way?

A. No; it was appointed.

Q. Was it elected in the way that the Constitution and rules of that Union provide?

Mr. Del Guercio: The witness has said that it was appointed and wasn't elected. [904].

Presiding Inspector: I don't know—I suppose we would have to go into the rules if you insist on that.

Mr. Grossman: I want to know whether this witness admits or not that the rules and the Constitution, and everything governing that Union were followed and complied with, and whether his being removed from that office was legal in every way, or whether he is attacking the method used.

Presiding Inspector: Don't you think that is pretty far afield?

(Testimony of Sam Diner.)

Mr. Grossman: Far afield? Wasn't this man thrown out of his position in the Union?

Mr. Del Guercio: He hasn't testified to that.

Mr. Gladstein: If your Honor please—

Presiding Inspector: Just a moment! One counsel at a time. Sit down, please, Mr. Gladstein.

Talking to you, Mr. Grossman, I say that this is far afield of what we are considering here. It may be very important in Union matters, but I don't see that it has much relevancy. I will exclude that question until you produce the rules.

Mr. Grossman: I will state this as to the relevancy of this line of inquiry.

Presiding Inspector: Never mind the relevancy now. I exclude it on the form of your question.

Mr. Grossman: I will withdraw that question. But you raised a doubt as to its relevancy. [905]

Presiding Inspector: But that is persuasive merely. It doesn't seem to have the effect.

By Mr. Grossman:

Q. Will you please itemize for us everything the Union did immediately before your being removed from that position with reference to it?

A. Itemize what?

Q. Pardon?

A. Itemize what?

Q. All the actions of the Union with reference to your being removed from your position in the Union.

Presiding Inspector: Just a moment. You mean the steps which were taken?

Mr. Grossman: Yes.

(Testimony of Sam Diner.)

A. The President of the Union appointed a committee at an executive session, at the regular executive session of the Union, not mentioning what the matter was at all. He said, "You and you, and you, are going to be a committee tomorrow night." I even didn't know what they were talking about.

The following day when the committee is supposed to take part in discussing the problem I was called in. They said, "This is the charge against you: That you took \$50 bribe from Mr. So and so, and here is the check."

That was the entire procedure, appointed by the President of the Union a Committee to suit him, or best qualified, and [906] that was the end.

By Mr. Grossman:

Q. Was the hearing held at the same time that you were presented with the charges?

A. What do you mean? Of course the hearing was held.

Q. At the same time? A. Yes.

Q. Immediately following the time that you were presented with the charges?

A. I was not presented with any charges until the hearing took place.

Q. Were you presented with the charges before the hearing took place. A. No.

Q. Were you presented with the charges after the hearing took place? A. No.

Q. Then when, with relation to the hearing, were you presented with the charges?

(Testimony of Sam Diner.)

Mr. Del Guercio: Just a moment. I object to the question. The witness has already answered that he was presented with the charges during the hearing.

Presiding Inspector: I will allow it. Go ahead.

By Mr. Grossman:

Q. When, with relation to the hearing, were you presented [907] with the charges, Mr. Diner?

A. At the time the hearing took place. Up to that time I didn't have no knowledge of what they were cooking there.

Q. Had the hearing started at the time you were presented with the charges?

A. The charges were presented during the time of the hearing.

Q. Was any evidence produced at the hearing before you were presented with the charges?

A. No.

Q. Was there evidence produced at the hearing?

A. Yes.

Q. Did this committee make any finding or recommendation with reference to you?

A. Yes.

Q. What was their finding or recommendation?

A. The finding was nothing, until the first Vice President of the International called a mass meeting and he said, "Despite your decision he is going to be out," and this is on the record.

Q. What was the name of that man?

A. Mr. Fineberg.

Q. It is your testimony, is it, that this committee that was appointed by the President of the Union made no finding whatsoever with respect to you?

(Testimony of Sam Diner.)

A. They found reprimanding me of borrowing money from a [908] manufacturer that we have contractual relationship with, and it wasn't ethical.

I agreed that it wasn't ethical.

But when this decision was rendered and the wolves saw they can't get me out, Mr. Feinberg called a special meeting, spoke for two hours, which I was present at, and this is the remarks he made: "Despite of your defending Diner, you keep Diner, and we will take the charter."

That is what his remarks were.

Then I stood up and told the members that some day they will find out the truth; that the charter is more important than Sam Diner, and I walked out from the hall.

The following day I went up to the Union and they gave me a working card to go to work, and I went to work in a factory.

Q. Was any action taken with reference to you at that specially called meeting at which Mr. Feinberg spoke? A. I told you.

Q. Was any action taken, Mr. Diner?

A. I don't know what you call "action."

Q. Was any motion passed with reference to you?

A. No motion was made. I told you that Mr. Feinberg made that statement.

After that I stood up and pleaded with the workers because—let me tell you another thing: I was asked if I would [909] not come up at that meeting and plead with the workers to be passive in the situation,

(Testimony of Sam Diner.)

or otherwise something would have happened. I wanted to avoid that happening.

Q. Is it your testimony, Mr. Diner, that at this meeting that we are referring to, no motion was passed, no resolution was passed, no action was taken by the membership there with reference to you as a member of the Union, or as a holder of this office in the Union?

Mr. Del Guercio: Just a moment. Counsel is purporting to state what the testimony is. There has been no such testimony here.

Presiding Inspector: I think I will allow it. This is his interpretation of it.

By Mr. Grossman:

Q. Do you want the question read back by the reporter?

A. By anybody; I don't care.

Presiding Inspector: Read the question, Mr. Reporter.

(The question referred to was read by the Reporter as above recorded.)

Presiding Inspector: I think this means—and correct me if I am wrong—you mean formal action?

Mr. Grossman: Of course.

Presiding Inspector: It might be action considered by no objection being taken.

Mr. Grossman: I mean by the membership; the membership [910] has various ways of acting. I think Mr. Diner, as an official of the Union for some time, would recognize what I mean by the distinction

(Testimony of Sam Diner.)

between action of the membership as such and by some individuals.

Presiding Inspector: That wasn't what I meant.

Mr. Grossman: I mean formal action by the membership.

Presiding Inspector: Was there a vote taken?

The witness: Let me go back—

Presiding Inspector: Was there a vote taken?

The Witness: There was no vote taken.

Presiding Inspector: Was there any opposition to Mr. Feinberg's statement?

The Witness: That is why I want to go back for just a paragraph.

Presiding Inspector: "Yes" or "No"—was there any opposition to Mr. Feinberg's statement?

The Witness: Quite a number of oppositions.

Presiding Inspector: That answers the question.

By Mr. Grossman:

Q. To your knowledge, Mr. Diner, after this hearing that we have discussed, did the local union to which you belonged, or the International union to which you belonged, take any action to remove you from your position in the Union?

A. It seems that I made it clear, but I am going to make it clearer for you. [911]

Q. First, just answer that question "Yes" or "No".

A. Well, I can't answer it "Yes" or "No". I must talk about it.

Q. All right—talk.

A. When Mr. Feinberg made up his mind that

(Testimony of Sam Diner.)

at any cost this thing must go through; the devil itself couldn't stop it. That is the way people work in the Union, or any other organization.

Well, the Union, to me, was very dear. I helped build that Union since 1910, and to me it meant life and death that that Union should go to pieces on account of my ownself.

When Mr. Feinberg came up and prepared his speech to talk to the vast majority of the people there, when he made a definite stand that the charter will be taken away, that there was only one alternative left for the workers to do, either keep Sam Diner, or he takes the charter, that was a serious remark.

I felt it was my duty, and I didn't speak up, because Mr. Feinberg was still an officer, and I felt that it should not be my position to try to break the thing that I helped build. You don't break up a home when you build it yourself.

But finally I stood up and pleaded with the workers, because I knew what was organizing in that hall, and I was trying to the utmost to prevent bloodshed, if you please. That is a strong word, but that is the truth. I went up, took my coat off, and I spoke, as little as I understand, as much as I know. I [912] pleaded with the workers to calm down; that the decision of a superior officer must be law; that some day or another the truth of the matter will come out; but at this time I am willing to submit to the desire of the black reactionary forces. That was my word. I urged

(Testimony of Sam Diner.)

the people to accept the recommendation of Mr. Feinberg. No vote was taken in the hall. The hall walked out. They didn't wait until the meeting adjourned. Downstairs we had to call the police to stop fights.

That is all. No vote was taken. They gained their objective and I gained mine.

Q. Is it your statement, Mr. Diner, that Mr. Dubinsky and Mr. Feinberg had made up their minds that they were going to remove you from your position as business agent irrespective of whether or not you had done anything which would justify removal from that position, and that they seized on this opportunity to do so?

A. I think you know better than that. However, you are an attorney and I am going to answer you.

Whatever and whenever people of that sort don't want you nobody can save you. You are out. That is just a question of time. I was in there in the office not to the liking of them.

I want to quote another instance here while we are talking about it—

Presiding Inspector: I think you had better not until you are asked about it.

Go ahead. [913]

By Mr. Grossman:

Q. In your reference to people of "that sort" did you refer to Dubinsky and Feinberg, was that the group you were talking about?

A. I referred to Dubinsky, Sam Darcy, or any-

(Testimony of Sam Diner.)

one connected with an organization that is determined to gain their objective.

Q. All right. Now, here is the problem, Mr. Diner, and I would like to have you give the best answer you can as to which alternative is correct. I am concerned with whether you were expelled or removed from your position in the Union—

A. (Interposing) I answered that.

Q. (Continuing) Just a moment. I have two alternatives I am going to state and I would like to have you tell me whether either are correct.

~~I am~~ concerned with whether or not you were removed from your position in the Union because the membership was convinced that you had acted in a way a Union official should not act—that is one alternative—or whether you were removed from your position in the Union, though you had done nothing wrong as an officer, solely because Dubinsky and Feinberg insisted on it? Is either of those alternatives correct and, if so, which one?

Presiding Inspector: Doesn't this merely call for the operation of his mind?

Mr. Grossman: He has a great deal of information, your [914] Honor, upon which he can base an answer from his personal knowledge. If he is able to state that it was the position of the membership that they should not have acted, he can know that of his own knowledge.

Presiding Inspector: I don't know whether he can. He can have an idea about it and an opinion.

(Testimony of Sam Diner.)

Mr. Grossman: If it is based on facts I am willing to hear it.

"I would like to know whether this man admits that he acted, or the membership considered he acted in a way that was not proper for a Union member, or for a Union official to act, or whether he claims he was merely framed by Dubinsky and Feinberg and that his conduct was not something of importance to the Union."

Presiding Inspector: Do you want his opinion or his own actions?

Mr. Grossman: I want his opinion as to what transpired in the Union and the expressions by the membership on the one hand, and by Dubinsky on the other.

Presiding Inspector: If you can answer it, go ahead.

Mr. Del Guercio: May I be heard on that?

Presiding Inspector: You may.

Mr. Del Guercio: The witness has already given an account of what has occurred. Now counsel is asking for the same thing all over again. He has given everything that he knows concerning [915] that situation.

Presiding Inspector: That may be so, but at the same time he wants to know, from the position of the Union, as this witness knows it as a member of the Union, whether that was an expulsion or not. Is that really what you are getting at?

Mr. Grossman: Yes.

(Testimony of Sam Diner.)

Mr. Del Guercio: I object to the question as being in the alternative.

Mr. Grossman: I have a right to ask the question in that way.

Presiding Inspector: Do you want to frame your question again?

Mr. Grossman: Is there an objection to it? I would rather have it read if there is no objection.

Mr. Del Guercio: There is an objection.

Presiding Inspector: There is an objection.

Read the question, Mr. Reporter.

(The record was read by the reporter as follows:

"Q. All right. Now, here is the problem, Mr. Diner, and I would like to have you give the best answer you can as to which alternative is correct. I am concerned with whether you were expelled or removed from your position in the Union—

"A. (interposing) I answered that.

"Q. (continuing) Just a moment. I have two alternatives I am going to state and I would like to have you tell [916] me whether either are correct.

"I am concerned with whether or not you were removed from your position in the Union because the membership was convinced that you had acted in a way a Union official should not act—that is one alternative—of whether you were removed from your position in the Union, though you had done nothing wrong as an officer, solely because Dubinsky and Feinberg insisted on it? Is either of those alternatives correct and, if so, which one?"")

(Testimony of Sam Diner.)

By Mr. Grossman:

Q. Is either of those alternatives correct?

Presiding Inspector: That is a difficult question for me to understand, at least, but if the witness understands it he can answer.

The Witness: I do understand it.

Presiding Inspector: Answer it.

The Witness: I can answer it, too.

By Mr. Grossman:

Q. The first question is whether either of those alternatives is correct.

A. You asked a question and I can answer it by—

Q. (By Mr. Grossman) Just a minute. First, answer if either of those alternatives is correct.

Mr. Del Guercio: (Interposing) Just a moment. He is answering the question. [917]

By Mr. Grossman:

Q. First, I would like an answer to the question as to whether either of those alternatives is correct. Answer the question "Yes" or "No."

Presiding Inspector: You have asked more than that.

Mr. Grossman: I asked first whether either is correct.

Presiding Inspector: Put one question at a time. Strike all that question and start over again.

By Mr. Grossman:

Q. Was it correct that the membership of this local union of which you were an officer removed

(Testimony of Sam Diner.)

you from that office because they were convinced that you had acted in such a way as a member and official of a trade union should not act; is that correct?' A. No.

Q. Is it correct that you were removed from your office in your local union despite the fact that you had done nothing wrong in that office solely because Dubinsky and Feinberg insisted you should be so removed? A. Yes, sir.

Q. All right, that is all on that.

Do you happen to know of your own knowledge whether any action was taken by the local union formally to remove you from your position?

A. No. [918]

Q. In the union? A. No.

Presiding Inspector: You mean you don't know, or no action was taken?

The Witness: No action was taken while I was there.

By Mr. Grossman:

Q. Do you happen to know whether any formal action was taken by the International Union or the Executive Board of the International Union to remove you or suspend you from that position?

A. Yes, sir.

Q. At what meeting or by what individual was this action taken?

A. Let me talk now. You asked me a question: I have to answer it; I have to talk about it, now. May I?

(Testimony of Sam Diner.)

Presiding Inspector: Go ahead.

The Witness: We have to go back into a little history here. When the Needle Trade Workers Industrial Union decided that there is no more room for their existence, that we have to penetrate again into the A. F. of L. unions, we dissolved that Needle Trade Workers Industrial Union, and we rebuild and we dissolve at just a snap of the finger. Then, I was the last one to enter that union. The union decided—the A. F. of L. Union decided they don't want me there, and I don't blame them. The workers, however, wanted me there. And the workers from the A. F. of L. Union, mind you, went to [919] the General Executive Board through mail, or otherwise, and told them that I have a certain amount of influence among the cloak makers, that it would be better to rebuild the union with my presence than without my presence. They can't keep me out of the industry despite the fact that the Needle Trade Workers Industrial Union dissolves itself, but I am still a member of the industry and they can't deprive me of making a living, so the best thing to do is to take him in, and I went in; they took me in.

Two months later a district convention of the International Ladies' Garment Workers Union took place, was supposed to take place, rather, and delegates were supposed to be elected, and the workers nominated me as a delegate and I got 99-9/10 per cent of votes for that delegation.

(Testimony of Sam Diner.)

By Mr. Grossman:

Q. How many voted?

A. A few hundred. And the ones that were prior before I came in, die-hards of the International, so to speak, I mean the old timers,—never mind—they were defeated, and you know what happened. Mr. Feinberg flew from New York to come to a meeting and deprive the workers of their votes saying that Sam Diner cannot be a delegate to this convention, and despite of the fact that the people voted so unanimously I was not seated. That is your answer.

Mr. Grossman: I submit, your Honor, that that is in no [920] way an answer to my question.

Presiding Inspector: I told you I didn't understand the question and I don't understand the answer.

Mr. Grossman: If the question could be read I think that would be clear it is not in any sense an answer.

Presiding Inspector: Well, you can press the witness.

By Mr. Grossman:

Q. The question was—and I will repeat it—whether any action was taken by the International Union or any of its officers to remove you from your office as Business Agent in the local union?

A. First of all—

Presiding Inspector: (Interposing) Well, now—

(Testimony of Sam Diner.)

The Witness: (Interposing) No.

Presiding Inspector: That is an answer.

The Witness: No.

Mr. Grossman: All right. You could have saved us a lot of time if we had that before.

Your Honor, do you want to adjourn?

Presiding Inspector: I thought, perhaps, we might finish with this witness.

Mr. Grossman: I don't think we can.

Presiding Inspector: Very well, then, we will adjourn until 2:00 o'clock.

(Whereupon at 12:30 p.m., a recess was taken until 2:00 o'clock of the same day.) [921]

After Recess

2:00 O'Clock P. M.

Mr. Grossman: Ready, your Honor?

Presiding Inspector: Yes.

SAM DINER

called as a witness on behalf of the Government, having been previously duly sworn, testified further as follows:

Cross Examination (Resumed)

By Mr. Grossman:

Q. Mr. Diner, how long before you were removed from your position as Business Agent did this transaction concerning the \$50.00 take place—rather, the loan of the \$50.00 took place how long before you

(Testimony of Sam Diner.)

were removed from your position as Business Agent?

A. Oh, I think about a month or so; maybe five weeks. I don't remember the date.

Q. At least it was a short time?

A. Well, if you call a month or so a short time; yes.

Q. It wouldn't have been as long as a year?

A. Oh, no; no.

Q. And your best guess is a month to five weeks, something like that?

A. I wouldn't say definitely, but it was a short time. It was during the time that I was Business Agent and I wasn't on for a full term, so it couldn't have been a year. [922]

Q. During what term were you Business Agent?

A. I think during 1937, or 1936; something like that.

Q. For how long were you Business Agent?

A. Oh, for about nine or ten months to the best of my recollection.

Q. It wasn't over a year?

A. I don't remember. I don't think so; I don't remember anyhow.

Q. Were they one year terms? A. No; no.

Q. How long was the term for that you were elected for?

A. You get elected every year; every election.

Q. Were you re-elected for a second year?

A. Well, first I was in for a short time, if I remember, not elected at all. I was put in there

(Testimony of Sam Diner.)

and then, a short time before the election, and then I was officially elected.

Q. Who put you in?

A. Who put me in? The workers.

Q. Well, wasn't there any official action taken?

A. No. That doesn't go like that. It goes—the Business Agent prior to me was elevated to another place, a fellow named White. Then they combed around for a person to take over the office, and the workers got together and proposed me, even without my knowledge of it, and when they got sort of a favorable answer they asked me whether I would accept it. [923] By the way, before I accepted I consulted with the Party and they told me to accept the offer.

Q. How long did you serve before the election took place?

A. I don't remember; a short time.

Q. Then the total time you served as Business Agent was a short time before the election and less than a whole term after the election?

A. Correct.

Q. Now, could you state again, as well as you can spell it, the name of this man who discovered from the books of the company information on this \$50.00 loan?

A. Cargar.

Q. Could you spell it as well as you can?

A. No, I don't.

Q. Now, it was your testimony, was it, that as part of his authority under the NRA he was enabled to examine the books of the employer and

(Testimony of Sam Diner.)

in so examining the books he found this information?

A. His business was to examine the payroll of the workers and in that payroll he found my name written out, "S. Diner, \$50.00."

Q. Well, where did he get his authorization to do that? From the NRA?

A. No; by mutual consent from the Manufacturers Association [924] and the Union which I was responsible for drawing up a contract to that effect.

Q. Well, what did that have to do with the NRA?

A. Well, I said before he was an officer in the NRA, to refresh your memory who he is.

Q. Oh, I see. Now, this transaction involving the \$50.00 took place about how long after you contacted the attorney with reference to getting the indictment—

A. (Interposing) It was at the same time.

Q. About the same time?

A. About the same time, I mean a month or two or three before; it was within a short time; I mean, it didn't go into years; it went into months. To be exact, how many days or how many weeks I really don't remember.

Q. Now, Mr. Diner, you stated that you at present have a business at San Rafael?

A. I have had it for eleven years.

Q. And what is the name of that business?

A. Marin Smart Shop.

Q. Marin Smart Shop. Does anyone else own part of that business or is it owned entirely by you?

(Testimony of Sam Diner.)

A. Owned by my wife originally, and that remained; she opened the business while I was working.

Q. During the time that you were business agent of the Union she was running this—she owned and ran this shop, is [925] that right? A. Correct.

Q. For how long a period of time have you been working in this shop?

A. Up until the end of 1937.

Q. You mean beginning then?

A. (No response.)

Q. In the shop in San Rafael, for how long a time have you been working there?

A. Since 1937.

Q. Since you left—

A. (Interposing) Left the shop. Which shop? The city, any shop that I worked.

Q. The time when you went to work in the shop in San Rafael was how long after you were removed from your position as Business Agent?

A. I was removed before.

Q. How much time was there between your removal as Business Agent and your going to work in this shop in San Rafael?

A. You mean what shop?

Q. The shop you now own.

A. My place, huh?

Q. The shop you now own?

A. It is not a shop; it is a store. [926].

Q. I beg your pardon; the store. A. Yes.

Q. How much time between your going to work

(Testimony of Sam Diner.)

in this store in San Rafael and your removal as Business Agent?

A. Oh, about three or four months.

Q. Have you had any other employment—withdraw that. After you were removed as Business Agent did you go to work in the industry?

A. Yes, sir.

Q. Did you work for one or several employers?

A. For two.

Q. And you worked for those two a total of three, four months, something like that?

A. Something like that, yes.

Q. Yes. After that time did you have any employment except employment in this store in San Rafael?

A. No.

Q. Did you have any income except income from that store in San Rafael?

A. Did I have what?

Q. Any income except income from that store in San Rafael?

A. No.

Q. And since that time when you first went to work in this store in San Rafael you have worked continuously there? [927]

A. Correct.

Q. Up to and including today?

A. Yes, sir.

Q. Mr. Diner, have you ever used any other names?

A. Never.

Q. Are you a citizen of the United States?

A. I am.

Q. By birth or by naturalization?

A. By naturalization.

(Testimony of Sam Diner.)

Q. When were you naturalized?

A. In 1916.

Q. And where were you naturalized?

A. In Oakland.

Q. Have you ever been convicted of any crime?

A. No.

Q. Have you ever been charged with any felony?

A. Yes.

Q. When was that?

A. It was during the strike in Oakland.

Q. Were there any other occasions when you were charged with a felony? A. No.

Q. Did this occasion grow out of the strike?

A. Yes, sir.

Q. Were you acquitted on this occasion? [928]

A. I was.

Q. Within the last five years, have you ever been on relief or WPA? A. Never.

Q. When was the first time that any representative of the FBI spoke to you about your information on Harry Bridges, or about testifying in this case?

A. Oh, about two or three months ago.

Q. Where did it take place?

A. They came into my establishment and asked my name, and showed their credentials, who they are.

Q. Do you remember the names of those men?

A. Yes. Devereaux and Hopton.

The Reporter: Spell them, please?

Mr. Del Guercio: D-e-v-e-r-e-a-u-x—H-o-p-t-o-n.

By Mr. Grossman:

Q. That was the first time that you discussed

(Testimony of Sam Diner.)

with any representative of the FBI what you knew about Harry Bridges?

A. I didn't discuss it with them. I made a date with them at their office.

Q. And did you go through with the appointment that you made? A. I did.

Q. At your store? A. I did.

Q. And when did this appointment take place?

[929]

A. I don't know when; within the last three months.

Q. How long after they came to your store?

A. A couple of days afterward.

Q. At that time did you tell them what you knew about Harry Bridges?

A. I didn't tell them; they asked me questions and I answered them.

Q. In answering the questions did you tell them all you knew about Harry Bridges?

A. All that I knew about Harry Bridges.

Q. At that time did you sign any statement?

A. I did.

Q. At any other time have you had a conference with the agents of the FBI at which you told them what you knew about Harry Bridges?

A. Well, I had about two or three of them, that is, the same thing continuing. We didn't finish at one time. It took about three meetings, I guess.

Q. The statement was not signed then at this first meeting, is that correct? A. No, sir.

(Testimony of Sam Diner.)

Q. I was signed at the end of these several meetings? A. Yes.

Q. How many different statements did you sign?

A. Only one statement I signed. [930]

Q. In that statement did you make in substance all the statements about Harry Bridges that you have made here today? A. Exactly.

Q. Did you ever speak to any representative of the Immigration and Naturalization Service concerning what you know about Harry Bridges?

A. No, I did not.

Mr. Del Guercio: Just a minute, please. I don't believe that he knows who are the representatives of the Immigration and Naturalization Service, if your Honor please.

Mr. Grossman: His answer is "No."

Mr. Del Guercio: Well, do you know whether I am a representative of the Immigration and Naturalization Service?

The Witness: I don't know.

Presiding Inspector: Of course the answer means "No" as far as his information lies.

Mr. Grossman: Yes.

By Mr. Grossman:

Q. Have you spoken to any other representative of the Government concerning what you know about Harry Bridges, except those that you have named?

A. I did not.

Q. Have you ever spoken to any representative of the State Government, or of any City Govern-

(Testimony of Sam Diner.)

ment, with reference to [931] what you know about Harry Bridges? A. I did not.

Q. Or have you discussed with any representative of the Federal Government, outside of those that you have named, what you know about Harry Bridges? A. No, I did not.

Q. At these conferences with the representatives of the FBI was anyone else present except those persons that you have specifically named?

A. No.

Presiding Inspector: Do you mean that absolutely as you asked it, clerks or stenographers?

Mr. Grossman: I was assuming he was including clerks or stenographers.

By Mr. Grossman:

Q. Excluding anyone who was making notes of what transpired there, there was no one else present, is that right? A. No; just three of us.

Q. But there was a stenographer taking down notes, was there? A. No.

Q. One of these men, one of these two men you have named took down notes?

A. Yes: At the time of the completion of the thing the stenographer was there. [932]

Q. Have you ever discussed what you know about Harry Bridges with any representative of the Dies Committee? A. No, sir.

Q. Have you ever testified before any Governmental Committee as to what you know about Harry Bridges? A. No, I did not.

Mr. Grossman: It will take about a minute

(Testimony of Sam Diner.)

reading a statement that has just been handed to me, your Honor. I haven't had a chance to go over it.

Presiding Inspector: Yes.

By Mr. Grossman:

Q. Mr. Diner, was the man from whom you borrowed the \$50.00 an official at that time of the Cloak & Suit Manufacturers Association?

A. No.

Q. Was he just prior to that time?

A. No.

Q. Was he immediately after that time?

A. After that time?

Q. Yes. A. I don't know. [933]

Q. Are you sure of that?

A. Yes, I am sure.

Q. What did you say, Mr. Diner, was the name of that defense committee or defense organization of which you were Treasurer?

A. The Civil Liberties Right.

Q. Civil Liberties what?

A. The Civil Liberties Defense Committee.

Q. And how long were you Treasurer of that organization? A. A short time.

Q. About how long?

A. Oh, maybe a couple of months or so.

Q. Not longer than that?

A. I don't think so.

Q. What were the circumstances surrounding your leaving that position of Treasurer of that organization? A. Circumstances?

(Testimony of Sam Diner.)

Q. Yes. A. I don't know.

Q. Well, what happened?

A. There was no money; everything was on paper; and all the paper was assigned to the proper station.

Q. No, I mean what happened? How did you happen to leave? [934]

A. The Committee gave itself up.

Q. You mean the Committee was disbanded?

A. Yes, sir; gave up the office and the show was over.

Q. You were Treasurer, then, until the Committee disbanded, is that right?

A. Yes, sir.

Q. During the time that you were Treasurer of that Committee, or after you left the position of Treasurer of that Committee was any charge made, to your knowledge, to the effect that you had either used for your own purpose or failed to return, or embezzled any of the money of that Committee? A. No siree.

Q. You are sure no such charge was ever brought to your attention?

A. Definitely, definitely not.

Q. Was your signature sufficient to withdraw money from the funds of that Committee, or was it arranged that several people had—

A. (Interposing). My signature was sufficient.

Q. This would be for the entire time that you were Treasurer of this Committee?

A. Yes, sir.

(Testimony of Sam Diner.)

Q. When you left that job as Treasurer of that Committee did you account for all the funds that had come into your [935] possession as Treasurer of that Committee?

A. Accounted and signed by the district committee of the Communist Party.

Q. And when you left that job you had turned over to some successor or some person all of the funds that had been given to you as Treasurer of that Committee, or you had explained their being spent, is that correct?

A. There was no funds; everything on paper, bail put up for people pending trial, when the Committee disbanded itself.

Q. Was there any question when you left as Treasurer of that Committee whether there was any shortage in the funds of that Committee?

A. No; no such question was brought up because the money was there.

Q. Were books kept by that Committee?

A. Books kept by the Communist Party, not by that Committee.

Q. Did you keep any books?

A. No, sir.

Q. You mean to say, then, that you have no record of the money that you had received?

A. The Party had the records; the Party put in a Secretary of their own. I was only Treasurer, not Secretary.

Q. Then, it is your testimony that you had nothing to do with the keeping of records of financial transactions while [936] you were Treasurer?

(Testimony of Sam Diner.)

A. No, sir.

Q. You did nothing more than sign checks, is that correct?

A. If I was told to sign the check.

Q. That is correct, but you had nothing to do more with the financial details except to sign checks?

A. Tried to see that the treasury should always be full; that was my duty, too.

Q. Did you have anything to do with obtaining money for the use of this Committee?

A. Obtaining money?

Q. Yes. A. Not exactly.

Q. Well, did you obtain any money for this Committee? A. Yes, I did.

Q. What the total sum that you obtained?

A. Thousands of dollars.

Q. It was obtained, was it, as loans and gifts?

A. I always received an order to go to this and that person, that there would be money waiting for me, and I did so. I didn't know those people from Adams.

Q. And did you give receipts to those people from whom you obtained money?

A. You bet; the receipts was made out before I went [937] for money, not from me, but from the office.

Q. You mean you didn't sign any of the receipts? A. No, sir.

Q. Now, when charges were brought against you in your local union with respect to this \$50.00

(Testimony of Sam Diner.)

did you make any explanation at all in the local union as to this \$50.00?

A. First of all there was no charges made by the local union.

Q. I said in the local union.

A. Charges were made by individual people.

Q. In the local union, was the question.

A. It was never brought charges in the local union.

Q. At the time some charges were brought by someone, Mr. Diner, who had something to do with the local union, did you make any explanation to that union or to the trial committee with respect to the \$50.00?

A. I couldn't make no explanation because I had to shield something.

Q. Did you—

A. (Interposing): So I couldn't tell the truth.

Q. Did you or did you not?

A. I answered that.

Q. Will you please answer it directly. Did you make any explanation?

A. No; I did not. [938]

Q. Did you ever make any explanation to the membership of the union either formally at a meeting or informally as to the \$50.00?

A. Well, I don't know. Formally I never made any statement.

Q. Informally, did you?

A. Perhaps, I did.

Q. What explanation did you make?

(Testimony of Sam Diner.)

A. I don't remember the explanation; a flimsy one.

Q. It was not the true one?

A. It was not the truth.

Q. While you were Business Agent of this union did you have anything to do with the store owned by your wife in San Rafael?

Mr. Del Guercio: Well, if your Honor please, I object to that line of questioning. It is not relevant; immaterial; already gone into.

Presiding Inspector: I don't understand it, the point of it, but I will receive it.

Mr. Grossman: I will be more specific.

By Mr. Grossman:

Q. Did you have anything to do with the business of the store in San Rafael? For example, did you buy for the store? Did you sell in the store?

[939]

A. I was never home.

Q. Then, you had nothing to do whatsoever with the business transactions of that store in San Rafael—

A. Very little.

Q. Just a minute. Let me finish my whole question.

A. All right, pardon me.

Q. You had nothing to do with the business transactions of this store in San Rafael during the period that you were Business Agent of the union?

A. Very little.

Q. What was that little?

A. Sometimes, if I went in the morning to the office the wife told me to go up here and here and

(Testimony of Sam Diner.)

get this and this, so I went there, fulfilled the mission of your own wife.

Q. In other words, you were doing some buying, were you, of dresses?

A. No, I did not.

Q. Did you do anything for this store in San Rafael while you were Business Agent of the Union?

A. I said that if my wife told me that she was short of something, go up here and here and give this, and they shipped it.

Q. In other words, you were merely a messenger boy to transmit an order from your wife to the company, is that all?

A. Yes, sir. [940]

Q. Were you ever criticized in your union for having anything to do with buying merchandise for this store in San Rafael at the same time that you Business Agent of the union?

A. They knew before they elected me Business Agent that he have a store, but I was never criticised. They knew I had a store.

Q. Do you mean that it was your store when you said you had a store?

A. My wife. Well, that is—it is in her name and is still in her name.

Q. But you considered it was your store at the time you were Business Agent, in the sense, at least, it was yours and your wife's?

A. She is my wife; it is my store too.

Q. As a matter of law it is possible for it to be her property and not yours.

(Testimony of Sam Diner.)

A. No, it is mutual; I guess that is the way it should be.

Q. That was true during the entire time you were Business Agent? A. Yes, sir. [941]

Q. Is it possible for you to name these companies from whom, to whom you delivered these orders from your wife, and from whom you picked up or arranged for the picking up of merchandise—can you name those companies?

A. I can if I have to, but I refuse to answer that.

Q. On what basis do you refuse to answer?

Mr. Del Guercio: If your Honor please, I don't see the materiality of this. Does counsel think it a crime for a person to go into business with his wife?

Presiding Inspector: I don't know, but I think I will let him answer. You had better answer that.

The Witness: Sure—I can give a dozen.

By Mr. Grossman:

Q. Will you do so, please?

A. Yes—Jimmy Thompson, Hamburger Apparel and Seaman—that is about all.

The Reporter: Spell the last name, please.

The Witness: I don't know; you know.

By Mr. Grossman:

Q. Now, these companies that you have named employed members of your Union, isn't that correct?

A. They did not. They are jobbers.

Q. Did you deal as Business Agent of the Union

(Testimony of Sam Diner.)

with any of these companies that you have just named? A. With one.

Q. Which one? [942]

A. Jimmy Thompson.

Q. What was the nature of the relationship between the Union and Jimmy Thompson at the time you were Business Agent?

A. He had an outside shop.

Q. Did he have a contract with the Union?

A. Yes, he did.

Q. Did you negotiate with him in any way?

A. A correction—he did not have no contract. It was a sub-contract.

Q. Did he have any relationship with the Union?

A. He didn't sign any agreement. He obligated himself to give his work to a Union shop; that was his obligation.

Q. What kind of garments generally are sold in this store in San Rafael?

Mr. Del Guercio: Just a minute. I don't think that is material. Counsel must be getting—

Presiding Inspector: Counsel seems to think it is of importance. Proceed.

By Mr. Grossman:

Q. Are the garments that are sold, and were sold during this period in the San Rafael store, generally the same garments that are produced by members of your local Union in San Francisco, the same general type?

(Testimony of Sam Diner.)

A. Every garment is produced by local unions, whether it is in San Francisco or New York.

Q. Within the jurisdiction of your local—in other [943] words, are the garments produced under the jurisdiction of the International Ladies' Garment Workers Union?

A. Some garments are and some are not.

Q. Most of them are?

A. I wouldn't say most of them. Now they are. At that time we had a small establishment and we had merchandise that didn't have no label at all; there was no union at all.

Q. But produced by workers who were eligible to join your International Union?

A. Wouldn't be produced by anybody else.

Q. What is the answer, "Yes" or "No"?

A. Yes.

Mr. Grossman: Your Honor, we have no more question, but, as we indicated at the beginning, we didn't feel that we could make a complete examination because of the necessity of checking further and we, therefore, renew our request.

Presiding Inspector: If you have anything further to bring out call it to my attention hereafter. Mr. Diner will doubtless not be far away.

The Witness: If your Honor please, may I make a statement? I will be away for about two days.

Presiding Inspector: That will be all right.

Mr. Del Guercio: May the witness be excused?

Presiding Inspector: Ultimately; yes. If I think it is material, and counsel brings something

(Testimony of Sam Diner.)

to my attention, and I [944] think it is material, I shall ask you to bring back the witness.

Mr. Del Guercio: We are not required to keep him here at Government expense?

Presiding Inspector: You can release him and we will be back. We will trust him.

Mr. Grossman: That is all.

Presiding Inspector: That is true with witnesses generally.

Mr. Del Guercio: I am concerned with the expense.

Presiding Inspector: I don't think that is necessary at all. If we find there is something material that counsel wishes further to ask him why, you will use the usual way to bring him back.

Mr. Del Guercio: By subpoena by the defense.

Presiding Inspector: We will bring him back. You will come back?

The Witness: Sure I will.

Presiding Inspector: There will be no trouble about it at all.

(Witness temporarily excused.)

Mr. Del Guercio: It will take a minute to bring in the next witness.

Presiding Inspector: Stand up, raise your right hand, and be sworn. [945]

THOMAS LAURENCE

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio:

Q. What is your name??

A. Thomas Laurence—L-a-u-r-e-n-c-e.

Q. What is your place of residence?

A. 1249 West 58th Street, Los Angeles, California.

Q. Are you at present employed?

A. Yes. I am employed as a cutter for the Red Cross.

Mr. Grossman: May I have the answer read, please?

(The answer referred to was read by the reporter as above recorded.)

By Mr. Del Guercio:

Q. Have you ever previously given any testimony in connection with the Harry Bridges matter? A. No.

Q. Are you affiliated with any labor organization at the present time?

A. I am a member of the International Ladies' Garment Workers Union.

Q. Where?

A. In Los Angeles, California.

Q. For how long a period of time have you been a member [946] of that Union?

A. For about eight years; since 1932.

(Testimony of Thomas Laurence.)

Q. Are you a member in good standing at the present time? A. Yes.

Q. Have you ever been a member of the Communist Party? A. Yes.

Q. When did you join the Communist Party?

A. I joined the Communist Party in April of 1933.

Q. And for how long a period did you remain in the Communist Party?

A. For approximately two years.

Q. When did you leave the Communist Party?

A. About 1935; about the first of the year.

Q. State whether you were expelled or whether you left voluntarily?

A. I left voluntarily.

Q. While you were a member of the Communist Party were you given any tasks to perform for the Communist Party?

A. No, no specific tasks. I wasn't an officer or any functionary.

Q. You never were a functionary or an officer of the Communist Party? A. No.

Q. Were you connected with any particular unit within the Communist Party? [947]

A. Well, all Party members belong to a unit. I belonged to the trade union group within the Party.

Q. What do you mean "trade union group"?

A. Trade union Fraction.

Q. Was that of the union in which you were a member? A. Yes.

(Testimony of Thomas Laurence.)

Q. There was a Communist unit within that Union?

A. Well, there was a Communist Fraction in that Union; yes.

Q. Composed entirely of members of the Communist Party?

A. Composed entirely of members of the Communist Party; yes.

Q. And you were a member of that unit?

A. Yes.

Q. What was the purpose of that Unit?

A. That was to take up all questions pertaining to the action and behavior, and the policies that the Party members were supposed to take up within the Union.

Q. Do you know the Alien here, Harry Bridges?

A. Yes.

Q. Where is he?

A. He sits right there. (Indicating).

Mr. Del Guercio: May the record show he has identified Harry Bridges?

Presiding Inspector: Yes. There is no question about [948] that, is there?

By Mr. Del Guercio:

Q. When did you first see the Alien, Harry Bridges?

A. The first I saw of him was pictures in the paper.

Q. When did you first see him physically?

A. The first time I saw him physically was at a meeting that we held in my home.

(Testimony of Thomas Laurence.)

Q. At a meeting that was held in your home. Where was your home at that time?

A. At 1114 Bellevue Street.

Q. What city?

A. Los Angeles, California.

Q. And with whom were you living there?

A. I was living with my wife.

Q. And how long had you had that apartment up to that time?

A. A very short time; I would say a couple of months.

Q. When did this meeting occur in your apartment at the time you saw Bridges there?

A. This occurred during the time of the strike the waterfront strike in 1934.

Q. Could you be more specific than that?

A. No, I couldn't.

Q. Some time during the 1934 strike?

A. Some time during the 1934 strike.

Q. That was between May 9, 1934 and July 31, 1934? [949]

A. Yes.

Q. Now, was your apartment ever used for Communist Party meetings?

A. Yes; my apartment was used for generally; Communist unit meetings and also it was used for meetings of the sub-section organizers.

Q. Well, now, what is the sub-section organizers?

A. That is a meeting that takes place weekly of all the organizers of the Communist units of a certain section.

(Testimony of Thomas Laurence.)

Q. Were you ever a member of such a section?

A. No, I wasn't an organizer of a unit, so I didn't belong to that.

Q. But they held meetings in your apartment?

A. Yes.

Q. Were you present at such meetings?

A. No, I wasn't.

Q. And how frequently would the Communist Party hold section organizers' meeting in your apartment?

A. They would hold them, I say, about maybe once a month, the sub-section meetings, because they always wanted to vary them; they didn't want to hold them consecutively twice in the same place. They would try to find different meeting places all the time. There was a scarcity of meeting places so they oftentimes asked me to use my place.

Q. Was that the usual practice of the Communist Party [950] at the time to hold such meeting in different homes?

A. Yes; that was the usual practice.

Q. And who would ask you for the use of your apartment to hold such section organizers' meetings in?

A. Generally speaking, one of the section organizers would ask me.

Q. Can you give us the names of any persons who would ask you?

A. No, I couldn't recall right at the present.

Q. Do you know Elmer Hanoff.

A. Yes.

(Testimony of Thomas Laurence.)

Q. Would he ever ask for the use of your apartment for such meetings?

A. No. Generally he wouldn't ask me. It would be some of the organizers, possibly the organizer of the unit that I belonged to, because he was in closer contact with me. [951]

Q. Now, this particular meeting at which you say you saw Bridges, who asked you for the use of the apartment?

A. One of the organizers of this sub-section that I belonged to asked me if they could have my house for a meeting of the Section Committee.

Q. Of the Section Committee?

A. Yes.

Q. Of the Communist Party?

A. Of the Communist Party; yes, sir.

Q. And what did you say?

A. I said, "Yes."

Q. Well, do you know the name of this person?

A. No, I can't recall the name.

Q. What else did he say in connection with the meeting?

A. Well, he—after he had asked me for the meeting and intimated it was going to be a Section meeting, he said to me they were going to have a meeting with Harry Bridges.

Q. Was anyone else present? How many were present when he made that statement to you?

A. There was nobody but this organizer and myself.

Q. And yourself. And did you consent to give them the use of your apartment for such a meeting?

A. I did, yes.

(Testimony of Thomas Laurence.)

Q. He told you specifically that it was to be a meet- [952] ing of the Section organizers of the Communist Party?

A. The Section Committee, that is, the top Section Committee, /

Q. The top Section Committee of the Communist Party? A. Yes, sir.

Q. Did he say that you could be present?

A. No, he didn't.

Q. Did you give him the key to your apartment?

A. Well, generally the back door was open, and then when they go in they lock it; the lock the front door themselves.

Q. And when was this meeting to be held in your apartment?

A. Well, this meeting was held at night and it was held on a Thursday night.

Q. You say you weren't present at the meeting?

A. I was not present.

Q. Where were you that night?

A. Thursday night is the night they held the unit meeting. I was at a unit meeting upstairs in the same house on the third—or second floor it is.

Q. Now, you are distinguishing between the unit meeting of the Section Committee meeting?

A. Yes; this was just a common ordinary unit meeting of the Party members, rank and file.

Q. And you say you were attending such a meeting? [953] A. Yes.

Q. In whose apartment was that?

(Testimony of Thomas Laurence.)

A. In the apartment of Frank Ryan, was the name of the man that lived there, and a fellow by the name of Harp, H-a-r-p; Elmer Harp, I believe is the name.

Q. Now, did you, during the time that the meeting was being held downstairs in your apartment, go down to your own apartment?

A. Yes, I and another fellow went down.

Q. Who was the other fellow?

A. I don't recall who the other fellow was.

Q. What did you do?

A. Well, we looked in the window.

Q. You looked in the window. Were the curtains down?

A. Yes, they were down most of the way; just probably about three or four inches from the bottom.

Q. Why did you look in the window?

A. Well, we all wanted to take a look at Harry Bridges.

Q. Did you see him? A. Yes, sir.

Q. Who else did you see in there?

A. Well, I can remember two of them that were there. I remember seeing Lawrence Ross and a man by the name of [954] Meyer Baylin.

Q. Was Lawrence Ross a member of any union?

A. No.

Q. Was Meyer Baylin a member of any union?

A. Meyer Baylin at times worked in the office of the Needle Trades Industrial Union, but I don't

(Testimony of Thomas Laurence.)

believe as a member; he never was a Needle Trades worker.

Q. Did you know Lawrence Ross to be a member of the Communist Party?

A. Yes, he was one; he was one of the Section leaders of the Party.

Q. Did you know Meyer Baylin to be a member of the Communist Party?

A. Yes, he was also a member of the top Section of the Communist Party in this Section.

Q. Did you see anyone else in the room?

A. There were others, a couple of others, but I don't recall who they were.

Q. Was Pop Hanoff there?

A. I don't recall whether Pop Hanoff was there or not.

Q. How many were there all together? How many did you see, rather; while you were peeking?

A. I can't recall whether there were five or six. I know it was not a large meeting.

Q. Could there have been more than six?

A. I am positive there weren't more than six.

[955]

Q. Five. A. Might have been five, yes.

Q. What were they doing when you saw them?

A. They were sitting talking; I didn't hear them.

Q. What part of the room, or in what room?

A. Well, the house has—the house I was living in, or the apartment has three rooms. It has a kitchen, bedroom and living room. The living

(Testimony of Thomas Laurence.)

room is right in the middle and they were in the living room; that was the only room that had chairs.

Q. Where was the window from which you were peeking?

A. There was windows all around. You could look in from the bedroom, into the living room, and you could look straight in, and you could look in from the kitchen window.

Q. Why did you leave the Communist Party, Mr. Laurence?

A. I lost complete confidence in the leaders of the district of this Communist Party.

Q. Were any charges ever made against you?

A. No.

Q. Have you ever been a labor spy?

A. No.

Q. A so-called labor spy? A. No.

Q. Have you ever been an informer?

A. No. [956]

Q. Have you ever been arrested? A. No.

Q. Have you ever been on relief?

A. I was on relief, I think, about a week or two.

Q. When was that?

A. I think that was in either '34 or '35; I can't remember just when.

Q. And where was that?

A. That was in Los Angeles.

Q. Did you ever write any articles about Bridges at any time?

A. I wrote an article for the publication of The Justice.

(Testimony of Thomas Laurence.)

Q. The Justice. What is The Justice? A Magazine?

A. The Justice is the trade paper of the International Ladies' Garment Workers Union.

Q. What was your articles about?

A. It was answering Harry Bridges on charges that he had charged the International Ladies' Garment Workers Union with sabotaging the CIO.

Q. You mean Bridges had made that charge?

A. Yes.

Q. And you replied to it?

A. I replied to it.

Q. What was your reply substantially, briefly?

[957]

Mr. Gladstein: Just a minute.

May we interrupt to suggest that the best evidence would be the article itself?

Mr. Del Guercio: He wrote the article. He ought to know, I guess.

Presiding Inspector: Yes, I suppose the article itself would be the best evidence.

Mr. Gladstein: Yes, and moreover, may I ask again that your Honor admonish counsel to address remarks to the Court and not across the table. I simply raised the objection to the question on the grounds—

Mr. Del Guercio: (Interposing) The admonition isn't necessary.

Presiding Inspector: Well, now, I will rule on this, if necessary.

I think you may go on, Mr. Del Guercio.

(Testimony of Thomas Laurence.)

By Mr. Del Guercio:

Q. Do you have a copy of that article?

A. Yes, I have a copy, but I haven't a copy of The Justice, no. I have a copy of a Socialist paper that the same article was taken from.

Q. Is it the same article?

A. Substantially the same.

Q. Do you have it with you?

A. Yes, I have. [958]

Q. May I see it?

A. Yes. (Handing document to Mr. Del Guercio)

Mr. Del Guercio: May I ask the Court's indulgence for a moment until I look it over?

Presiding Inspector: Certainly. We will take a very short recess.

(Whereupon a short recess was taken.)

By Mr. Del Guercio:

Q. At the time you wrote this article for The Justice what was your position in the union?

A. Business Agent.

Presiding Inspector: Did he answer?

The Reporter: Yes, sir; Business Agent.

By Mr. Del Guercio:

Q. Have you written any other articles?

A. No.

Q. About Bridges? A. No.

Q. Have you ever been arrested, Mr. Laurence?

A. No.

Q. At any time? A. No.

(Testimony of Thomas Laurence.)

Q. Anywhere? A. No.

Mr. Del Guercio: You may cross-examine. [959]

Mr. Gladstein: If your Honor please, in connection with this witness, and the cross examination, may we have the same understanding which, I think, your Honor expressed this morning, that is to say, that we will proceed with the cross examination of this witness on such matters as we are prepared to proceed with at the present time?

Presiding Inspector: It seems we covered the whole field here.

Mr. Del Guercio: Does counsel state he has no information concerning this particular meeting, that you are unprepared in that respect?

May I ask that question of counsel?

Presiding Inspector: He hasn't said that. I won't let you interrogate counsel.

Mr. Grossman: May I say something?

Presiding Inspector: Yes.

Mr. Grossman: I say this only because this question has been raised. If Mr. Del Guercio intends to imply by his question—

Presiding Inspector: I don't care what he intends to imply.

Mr. Grossman: Just so there won't be any—

Presiding Inspector: You need not fear anything in that regard. Of course, the same thing will apply to Mr. Del Guercio's remarks.

Mr. Grossman: I want to state for the record, your Honor, [960] that we are not stating here that we are totally unprepared for this witness as

(Testimony of Thomas Laurence.)

for the last witness. We do not want it to appear that we are misrepresenting the facts. We are partially prepared for this witness.

Possibly that answers the question.

Presiding Inspector: Go ahead and see how it develops.

Cross Examination

By Mr. Gladstein:

Q. May I see that article, Mr. Laurence, please?

A. (Producing newspaper or publication).

Q. Will you find it for me, please?

A. (Indicating).

Q. Now, Mr. Laurence, I think you said that in 1934 you were living with your wife at 1118 Bellevue?

A. 1114, I believe it was.

Q. And you had been living there a very short time?

A. That is correct.

Q. Was there anybody else in your family besides your wife?

A. No.

Q. Just you and her?

A. That is all.

Q. And what is her name, please?

A. Catherine.

Q. Do you still live at that address? [961]

A. No, I don't.

Q. What address do you live at now?

A. 1249 West 58th Street.

Q. With your wife?

A. Yes. I am married again.

Q. Pardon?

A. Not with the same wife.

Q. You have since become divorced and remarried?

A. I have; yes.

(Testimony of Thomas Laurence.)

Q. When were you divorced from Mrs. Catherine Laurence?

A. I was divorced last fall; this last fall.

Q. Last fall? A. Yes.

Q. That would be in the fall of 1940?

A. Yes.

Q. Now, this house on 1114 Bellevue, what sort of a house was it, how big a house?

A. It was a four-family flat, two flats below the street, more or less of a basement at.

Q. And do I understand that you and your wife rented that house?

A. We rented the apartment on one side.

Q. You rented one of the apartments?

A. Yes.

Q. You didn't rent the whole house and sub-let a part of [962] it? A. Oh, no.

Q. I think you mentioned that there were other people who lived in that house? A. Yes.

Q. In other apartments? A. Yes.

Q. Would you name all those people whom you can remember now?

A. The only people I know were the people in the apartment where we had the other meeting—Ryan and Elmer Harp.

Q. Those are the only two names you can remember? A. That is the only two.

Q. Were they living in separate apartments or in the same apartment, those two that you named?

A. Those two were living in the same apartments.

(Testimony of Thomas Laurence.)

Q. Do you recall which apartment?

A. Well, let me see—I know exactly which apartment it was in.

Q. Can you describe it?

A. Well, I can describe the type of house. It is a frame structure, a brown building, with four family flats, two on one side and two on the other. It is a square house and it faced Bellevue Street. Bellevue came into Sunset; and Bellevue and another street, Beaudry, met there, and this house was sitting right where those two streets came together.

[963]

Q. In which of those flats were you and your wife living?

A. I was living at the bottom on this side (indicating) in the basement flat.

Presiding Inspector: Right hand side as you looked at the building from the street?

The Witness: If you look—

Presiding Inspector: From Bellevue.

The Witness: From Bellevue it would be on the left.

By Mr. Gladstein:

Q. Looking at it from Bellevue it would be on the left as you entered the house? A. Yes.

Q. And from the same position, looking from the same position, how would you describe the apartment in which Mr. Ryan and Mr. Harp lived?

A. Well, it was all in the same order—it was a bed room, a living room and a kitchen. And upstairs where they lived there was a long stairs up

(Testimony of Thomas Laurence.)

the back, and they had sort of a porch on the outside.

Q. Was there apartment directly above yours?

A. No, not directly above. They were on the other side of the house.

Q. Well, if you were looking from Bellevue you would say that they occupied the apartment to your right?

A. Yes.

Q. In contradistinction to the apartment that you [964] occupied, which was to the left looking from that same position, is that right?

A. Just one moment. In order to enter my apartment you couldn't enter it from the front because we were in the basement apartment and that had a side entrance. But the apartment that they lived in faced exactly toward the front, toward Bellevue, and it was on the right hand side; but to go to my apartment you had to go down a step on the side of the house because it was in the basement.

Q. Well, if you were to take a line and divide the house in ~~two~~ lengthwise; in other words, a line dividing the apartments on one side from the apartments on the other, would it be correct to say that the apartment occupied by you would be to one side of that line, whereas the apartment occupied by Mr. Harp and Mr. Ryan would be on the side?

A. Correct.

Q. And your apartment would be what you call the basement, is that right?

A. Yes; and theirs the top.

(Testimony of Thomas Laurence.)

Q. Theirs would be on the top floor?

A. Yes; top floor.

Q. When were you first contacted with respect to giving testimony in this case?

A. I didn't understand the question.

-Mr. Gladstein: Read it, please.

(The question referred to was read by the reporter as [965] above recorded.)

A. I should say that was about five or six months ago.

Q. By whom, please?

A. By an agent for the FBI.

Q. Do you recall his name?

A. Yes. His name was Williams.

Q. I didn't hear that. A. Williams.

Q. Was he alone or did he have someone else with him? A. He was alone.

Q. Where were you at the time that he made this contact with you?

A. I was at my place on West 58th Street.

Q. You mean at your home? A. Yes.

Q. This was in the evening, was it?

A. Yes; it was in the evening.

Q. Did he tell you how he happened to come to you?

A. I don't recall. I believe he found my address through the International Ladies' Garment Workers Union. That is all I can remember.

Q. Did he at that time ask you for information concerning Harry Bridges?

A. He asked me in this manner: He told me

(Testimony of Thomas Laurence.)

who he was, and he asked me what I knew. Do you want what I said to him? [966]

Q. Well, did you tell him what you knew?

A. Yes.

Q. Did you tell him substantially the things you have testified here to today?

A. Yes.

Q. Did you tell him that you saw Mr. Bridges in this apartment by looking through the window?

A. Yes.

Q. That is, the window of your house?

A. Yes.

Q. And that this occurred in the evening?

A. Yes.

Q. Did you tell him what time in the evening it was?

A. I don't recall whether I told him the time or not.

Q. Did you tell him that it happened, and you have stated, during the waterfront strike?

A. Yes.

Q. Did you tell him whether it happened during any particular part of that strike, that is to say, before or after the general strike, or during the general strike?

A. I can't recall that I said at any special time.

Q. Do you now remember whether this incident to which you testified, do you place before the general strike, or after the general strike, or during the general strike?

A. During the general strike—what do you

(Testimony of Thomas Laurence.)

mean, do you [967] mean by general strike that was here in San Francisco?

Q. Yes.

A. No, I can't recall. I know it was some time during the waterfront strike, but I can't recall whether it was during the general strike or before or after, or how.

Q. You know that the general strike occurred during the period of the waterfront strike, don't you? A. Yes.

Q. That the waterfront strike started before and lasted until after the general strike? A. Yes.

Q. But you are unable to say whether this incident that you have described, you would place during the general strike, or immediately before, or immediately after? A. No, I couldn't say.

Q. Is that correct? A. Yes, sir.

Presiding Inspector: You have asked that four times and got the same answer each time. Can't we hurry this along?

Mr. Gladstein: If I may say so, it is obviously important to attempt to find out as specifically—

Presiding Inspector: It doesn't require four questions to get the same answer each time.

Mr. Gladstein: I am also interested in testing the recollection of the witness. [968]

Presiding Inspector: But you don't add anything—"Is this so?" "Am I right?" Just repeat it. The record will be interminable.

This isn't an admonition. It is merely a suggestion.

(Testimony of Thomas Laurence.)

By Mr. Gladstein:

Q. Was the first meeting with Mr. Williams, or at that first meeting, did you give him any written statement? A. I did not.

Q. Did you meet with him again thereafter?

A. I did.

Q. How long after the occasion that you have already talked about?

A. I think it was a matter of maybe two or three weeks; I am not positive.

Q. Where did the second meeting occur?

A. At the same place.

Q. Also in your home? A. In my home.

Q. Were there any others present besides yourself and Mr. Williams on the second occasion?

A. No.

Q. And there were none others present on the first occasion? A. No.

Q. What took place on the second occasion?

[969]

A. He took a written statement from me as to what I had told him.

Q. Did you write it out in your handwriting?

A. No. I think he wrote it out and I signed it.

Q. What was the procedure that was followed in this written statement, that is, did you dictate for him to write it out, or did you—

A. Substantially, yes: I dictated it for him to write out. He asked about it and I said, "This is the way."

Q. Did you then read it? A. Yes.

(Testimony of Thomas Laurence.)

Q. Did you sign it? A. Yes.

Q. And he took it with him? A. Yes.

Q. Did you receive a copy of it?

A. No, not that I recall.

Q. Did you request a copy?

A. I did not.

Q. Since that second occasion have you discussed the question of your testimony in this case with anybody else?

A. Yes. I discussed it with—you mean this signed statement?

Q. Well, the contents of the statement.

A. Why, I discussed it with Ryan.

Q. With whom? [970] A. Frank Ryan.

Q. When did you discuss it with him?

A. Well, immediately afterwards.

Q. Immediately after what?

A. After a few days, a few days after I had talked to the investigator. I had named him, Ryan, as being one of the men at those meetings.

Q. Well, then, would you say that you first spoke to Ryan immediately after, or a few days after the first occasion of your meeting with Williams, or after the second occasion?

A. After the second occasion.

Q. That is, after you had given a signed statement? A. Yes.

Q. And where did you see Ryan?

A. I met him where he works, down near where he works.

(Testimony of Thomas Laurence.)

Q. Did you work at the same place, or did you at that time? A. No, I didn't.

Q. Was it at Mr. Williams' suggestion that you went to see Mr. Ryan? A. No.

Q. It was your own idea? A. Yes.

Q. Did you discuss with Mr. Ryan the fact that you had given a statement? [971] A. Yes.

Q. Did you request him to give a statement?

A. No. I told him he could give his own.

Q. Did you discuss with him—

A. (Interposing) The only discussion I had with Ryan was that I told him I had a meeting with the investigator and that I had told him, the investigator, that he was at that meeting. That is the only discussion I had with him. [972]

Q. That you had told the investigator who was at the meeting?

A. That Ryan was at a certain meeting that I named, in his apartment.

Q. I see. Have you seen Mr. Ryan since that time? A. On several occasions, yes.

Q. Have you discussed this question of testifying— A. (Interposing): No.

Q. (Continuing): —in the Bridges case with him? A. No.

Q. Have you ever asked him to be a witness in the case? A. No.

Q. Did you discuss with him on any of the occasions that you have seen Mr. Ryan this incident of looking through the window? A. No.

(Testimony of Thomas Laurence.)

Q. Did you ask him whether he recalled any such incident? A. I did not.

Q. Now, Mr. Laurence, I haven't had a chance to read this entire article which you handed me, but I want to ask you some questions about it so that it can be identified in the record.

Mr. Del Guercio: Just a minute, please.

May I ask if that is going to be offered in evidence? [973]

Presiding Inspector: I don't know.

Mr. Del Guercio: If he is going to ask any questions about it—

Mr. Gladstein (Interposing): I don't know either. I think it ought to be identified as long as I am going to ask—

Presiding Inspector (Interposing): All right, you may have it marked for identification.

(The document referred to was marked Alien's Exhibit No. 5 for identification.)

By Mr. Gladstein:

Q. Would it be correct to say, Mr. Laurence, that for some time you have been opposed in your views as to appropriate trade union policies or program, to what you consider the policies or program of Mr. Bridges?

A. I have been opposed, yes.

Q. And your opposition would date from when, would you say, beginning when?

A. My opposition would date from the advent of the CIO in 1937.

Q. What makes you date it as of that time?

(Testimony of Thomas Laurence.)

A. What makes me date it as of that time?

Q. Yes.

A. Well, that would require some explanation.

Q. Well, I get the impression that you imply disagreement [974] with the idea of the CIO. Would that be a correct impression?

A. No, that would not be a correct impression.

Q. Well, would you explain why you put it as of that time?

A. I misunderstood you. At that time in 1937 I disagreed with the policies, as you stated, followed by Bridges at that time, but I did not have any objections—the fact of the matter is I believed very much in the CIO movement.

Q. Well, then, you would say that some time in 1937—

A. (Interposing): Yes.

Q. (Continuing): You became opposed in your mind to the policies that Mr. Bridges was following in his union, or in the trade union movement, is that correct?

A. (No response.)

Mr. Gladstein: Would you read the question?

Presiding Inspector: Don't you think we ought to know what those policies are if you are going to ask those definitely?

Mr. Gladstein: First I want to get the general answer.

Presiding Inspector: Yes, I know.

Mr. Gladstein: Yes, I will go into that.

Mr. Del Guercio: If your Honor please, I object to the form of the question. We ought to go into the policies first.

(Testimony of Thomas Laurence.)

Presiding Inspector: No, I will allow that; that is, heretofore you have asked whether he was opposed to what he [975] understood the policies were. Now, you have asked it directly, and yet you haven't shown what those policies are.

Mr. Gladstein: Well, I will get into those, your Honor.

Presiding Inspector: Well, how can he—he can't testify to that except what he—

Mr. Gladstein (Interposing): Considers.

Presiding Inspector: Considers it.

Mr. Gladstein: That was an inadvertence on my part. I left it out of the second question.

Presiding Inspector: You changed your question.

Mr. Gladstein: I am sorry, your Honor; I didn't mean to. I will reframe the question.

Presiding Inspector: Yes, very well.

By Mr. Gladstein:

Q. I simply want to get this, Mr. Laurence: Is it true that during some time in 1937 you became, in your own mind, strongly opposed to the union policies and program which you considered Mr. Bridges was following?

A. Yes.

Mr. Del Guercio: Just a minute—all right.

By Mr. Gladstein:

Q. Now, would you name some of the policies or portions of the program which you considered that he was following to which you felt opposed?

A. In order for me to answer that question, in 1937 was [976] the time that Bridges was appointed

(Testimony of Thomas Laurence.)

as Regional Director of the CIO, and at the time that he was appointed Regional Director of the CIO, and before Bridges was appointed as Regional Director of the CIO, there was a CIO group functioning in the City of Los Angeles, and this group was an anti-Communist group. They didn't want the Communists to get control of the—it was not—it was only a professional organizational committee, you might say, meeting in the halls of the International Ladies' Garment Workers Union, and my opposition came at the time that Bridges was appointed Regional Director, and at that time the whole policy of the Communists changed and they began to flock into the CIO movement by whatever manner or means they could devise to get into it. And when the first election was held for the CIO Industrial Council that was the time, or shortly—about that, that was about the time that this change took place within the Communist Party and the labor movement, because prior to that, very prior to that, I distinctly remember that they were hollering, they were shouting and stating to the members, stating at the meetings to stay in the American Federation of Labor. And Jordan, who was then an organizer for the ART, told me a month and a half before Bridges was appointed that he was going to be appointed, and I noticed from that time on this terrible influx from the Party members all over the city into the CIO movement.

Q. In Los Angeles? [977]

(Testimony of Thomas Laurence.)

A. In Los Angeles, with an attempt to capture control of the local CIO movement.

That was the date and the time that my opposition started to, which you are now asking me, the policies of Bridges, what he stood for.

Q. Well, I was asking you for those policies followed by Mr. Bridges, or which you considered that he was following, or those portions of the trade union program which you felt that he was following to which you were opposed. Do you feel that you have answered that question?

Mr. Del Guercio: Well, if your Honor please, I think the witness has answered that question.

Presiding Inspector: Well, if he has anything further to say he may say it.

Mr. Del Guercio: He has indicated that Mr. Bridges was following the Communist Party line.

Presiding Inspector: We quite understand it, Mr. Del Guercio, but if there is anything further he may state it.

Mr. Gladstein: Do you want the question read?

The Witness: What is that?

Mr. Gladstein: Do you want the question read?

The Witness: The question that you asked me?

Mr. Gladstein: Yes, the present question.

The Witness: Yes, read it, please.

(The question referred to was read by the reporter.)

A. I will add this much further, and I stated this [978] also to the investigator: That as far as

(Testimony of Thomas Laurence.)

anybody connected on the Pacific Coast with the labor movement and in the trade union movement there was never any doubt about the policies that Bridges was following as far back as 1934, from the general strike, that he was following a policy outlined by the Communist Party in 1934 and was through 1937. As far as we were concerned we knew where Bridges stood, by that I mean, any man that was directly concerned in connection with the CIO movement or the A. F. of L. movement knew that the policies of Bridges were those that were laid down by the Communist Party and followed by the Communist Party.

By Mr. Gladstein:

Q. Now, will you please state, Mr. Laurence, what specific examples you can remember of Mr. Bridges following the Communist Party policy between 1934 and 1937; as you have put it?

A. The objectives of the Communist Party between those dates, that I can remember, was the organizations that they were endorsing; the movement in Spain, the League for Peace and Democracy; the movement in Spain and the boycotts, Nazi boycotts of the anti-Nazi League. All these things were introduced into the trade union of the CIO by the Communists. The fact of the matter was they absorbed the first three months of the CIO Industrial Council with meetings absolutely foreign to trade union questions. We were discussing nothing [979] but aid to China, aid to Spain, peace and

(Testimony of Thomas Laurence.)

democracy, and all other questions unrelated absolutely to regular, trade union policies.

Q. Well, am I to understand, Mr. Laurence, that a part of your opposition, then, to Mr. Bridges would be based upon what you considered his support for the Hollywood Anti-Nazi League in the trade unions?

Mr. Del Guercio: If your Honor please, he never mentioned a word about the "Hollywood Anti-Nazi League."

Mr. Gladstein: Let us go back to the answer. I thought I heard him say anti-Nazi League.

Presiding Inspector: I think he did.

Mr. Grossman: It happens that is the correct name. We might as well have the record state the correct name.

Presiding Inspector: I don't know anything about it. I will take judicial notice of it.

Mr. Gladstein: I think I can clear it up.

By Mr. Gladstein:

Q. When you say "anti-Nazi League", Mr. Laurence, were you referring to the Hollywood Anti-Nazi League?

A. I was thinking of that.

Mr. Gladstein: Would you now read the question that I asked?

(The question referred to was read by the reporter.)

A. No, because to put the question in such a manner, [980] I couldn't answer that question in

(Testimony of Thomas Laurence.)

the way you have asked it. I have no objection whether Bridges as an individual, or any other individual backs the Hollywood Anti-Nazi League, but the main thing that I pointed out was this: That they brought all of these questions into the trade union movement at the expense of the basic functions of the trade union movement.

By Mr. Gladstein:

Q. When you say "they" you mean the Communists? A. Yes, sir.

Q. And am I to conclude, then, that when Bridges supported the activities of the anti-Nazi League that indicated to you that he was following the Communist policy?

Mr. Del Guercio: Just a minute, if your Honor please. He is only limiting it to one organization. The witness stated a number of organizations.

Mr. Gladstein: I will prove the others but I cannot go to all of them at the same time, your Honor.

Presiding Inspector: Has he said that?

Mr. Gladstein: I am asking him.

A. I answered you when I said that as far as any person connected with the trade union movement on the Pacific Coast and the position of Bridges as being a Communist was taken for a matter of granted; they all knew it, that he followed the Communists all the way down the line.

By Mr. Gladstein: [981]

Q. For example, you mean on such things?

A. Now, I don't state because one organization he supported, that he was wrong in supporting it.

(Testimony of Thomas Laurence.)

Q. No, but you gave us an example of the Anti-Nazi League, is that correct? A. Yes, sir.

Q. Another one I think you said was aid to China, is that right? A. Yes, sir.

Q. In other words,—

Presiding Inspector (Interposing): Supporting them in the trade unions.

Mr. Gladstein: Yes, that is what I mean.

Presiding Inspector: That is what you mean.

By Mr. Gladstein:

Q. Is that correct, Mr. Laurence?

A. I said supporting them in the trade unions.

Q. Yes.

A. At the expense of the basic functions for which a trade union is organized.

Q. All right. Now, let's see if we have this clear. In other words—

Mr. Del Guercio (Interposing): The witness has stated what it is, your Honor, I don't think it is necessary for counsel to recapitulate. [982]

Presiding Inspector: I am going to hear him. Go ahead.

Mr. Gladstein: Thank you.

By Mr. Gladstein:

Q. In other words, if I may summarize, Mr. Laurence, so we can have this clear, your position of disagreement with Mr. Bridges is that you feel that policies such as bringing into the trade unions the question of support for the Anti-Nazi League.

(Testimony of Thomas Laurence.)

or for boycotting goods to Japan, or matters of that sort—

Your Honor, I can't concentrate on asking a question while counsel—

Presiding Inspector (Interposing): I think you are doing very well, Mr. Gladstein. Go right along.

Mr. Gladstein: Thank you, your Honor, but counsel is making a—

Mr. Del Guercio (Interposing): I am ready for an objection.

Mr. Gladstein: I have no objection to objections being made to my questions.

Presiding Inspector: Now, do you want to start the question over again?

Mr. Gladstein: I think I would like to.

Presiding Inspector: All right, go ahead.

• By Mr. Gladstein:

Q. I am using in this question, Mr. Laurence,—so that you won't feel that I am trying to confine you in any way, I am using the Anti-Nazi League and an aid to China as [983] an example only.

A. Yes, sir.

Q. Examples that you yourself gave.

A. Yes, sir.

Q. But you can consider—and I want the record to show that I am not attempting to confine you to these two but simply to make the question short.

A. Yes, sir.

Q. All right. Now, your position is, is it, that your opposition to Bridges is that he supported activities in the trade union movement on behalf

(~~Testimony~~ of Thomas Laurence.)

of the Anti-Nazi League, or the question of aid to China which you felt was at the expense of the basic functions of the trade unions; would that be correct? A. I would add to it—

Q. (Interposing): Well, would it be correct as far as it goes? A. Yes, sir.

Q. Now, do you want to add something?

A. Yes, sir.

Q. Please do.

A. Because that don't consist of all of my objections.

Q. All right, add to it.

A. If you had read the article you would have seen there Bridges behaviour with the union here in the City of [984] San Francisco, the Office Workers Union, upon which protests were made, that the charter was yanked and taken away from them, and the part that Bridges played in that charter was also an objection.

Q. Well, then, let's see, another point of difference between you and Mr. Bridges is that you felt that he was wrong on the question of a revision of the charter dealing with an Office Workers Union in San Francisco, is that correct?

A. Yes, and an attack upon the—

Q. (Interposing): I didn't hear the answer.

A. Yes, I said, "Yes", and an attack upon the ILGWU as sabotaging the CIO.

Q. Now, on this question of the Office Workers—you mentioned the ILGWU also; we will get to that in a moment. A. Yes, sir.

(Testimony of Thomas Laurence.)

Q. But for a moment let's confine ourselves to the Office Workers Union of San Francisco. Am I correct in saying that your testimony is that part of your opposition to Bridges is that you felt he had no right, and you believed that he did do this, to yank or jerk or rescind the charter of the Office Workers? A. Yes, but may I add yet—

Q. Certainly.

A. That also this: That in the position that he took in their support he also supported the Communists in their packing of meetings, in their fraud in elections, see, and in [985] their booing and their tactics. He supported by his presence of paper unions fraudulently conducted elections, booing and general tactics practiced by the Communists in the trade union movement of which he, I have never known, never criticized.

Q. Now, do you know of your own knowledge, as a matter of fact, whether Harry Bridges ever did rescind or cause the rescision of a charter of the Office Workers Union?

A. I only read it.

Q. Where did you read it?

A. I can't recall. I also heard it from the lips of one of the workers in the office of the—in the San Francisco ILGWU office.

Q. Did you, perhaps, read it in the Socialist Call? A. I did not.

Q. You are sure of that?

A. No; I got it from one of the girls in the office, I said, that worked in the office of the Inter-

(Testimony of Thomas Laurence.)

national Ladies' Garment Workers Union here in Los Angeles.

Q. Who was the girl?

A. I don't know her name.

Q. Now, you mentioned "fraudulent elections."

A. Yes, sir.

Q. Do you, of your own knowledge, know any fraudulent elections to which Mr. Bridges was a party?

A. I didn't say Mr. Bridges was a party. I said the [986] Communists conducted fraudulent elections which he has never condemned; he has supported them.

Q. Is it your statement that Mr. Bridges has supported fraudulent elections in the unions?

A. I said he supported—he has never condemned; he has by omission of his criticism absolutely supported them.

Q. Would you give some illustrations?

A. Yes, I will give the illustrations. In the CIO, when the first election was carried on my wife was a member of the organizing committee of the Western Union employees. The man who was the head of the organizing drive was a man by the name of C. H. Jordan; I think that is the name; Chester Jordan. When the election took place, my wife—I was a delegate from my union with the right to vote. When I got to the meeting that night there were two delegates, two delegates from this union that was only in the process of organizing, and my wife had been to every meeting and never

(Testimony of Thomas Laurence.)

heard of anybody that was even elected or appointed as a delegate to vote at that election.

Q. To vote from what union?

A. To vote for the Secretary of the CIO Industrial Council.

Q. Where?

A. That was in Los Angeles, and she also challenged that vote. [987]

Q. What was this vote? Was it an election in the council for council offices?

A. Yes, it was an election for the council Secretary.

Q. When was it held?

A. It was held in 1937.

Q. All right, proceed, Mr. Laurence.

A. Huh?

Q. Proceed. Have you finished?

A. Then I said, I stated that they sent delegates. This is one instance which concerned my wife that I know specifically about that she challenged, made an open statement at this meeting that there was never any delegates elected.

Q. Elected from what union?

A. There was never yet any union; there was only an organizing committee.

Q. Organizing committee in what field?

A. In the communications field of the Western Union.

Q. All right. Well, what was the name of the organizing committee?

(Testimony of Thomas Laurence.)

A. The Western Union Organizing Committee; I imagine that was all you could call it. A few workers got together out of the Western Union and tried to organize that plant.

Q. They formed an organizing committee?

A. They formed an organizing committee.

Q. They sent delegates to the council? [988]

A. They never sent any delegates because there was nobody ever knew—there was just two delegates appeared there.

Q. I see. Were there other organizing committees in Los Angeles at the time?

A. Other organizing committees?

Q. Any other organizing committees in other fields? A. I imagine there were.

Q. What did Mr. Bridges have to do with that election?

A. Have to do with that election?

Q. Yes.

A. The only charge against Mr. Bridges at that election is this, and this is another one: That when that election took place the longshoremen were the last people to come into this CIO Industrial Council in Los Angeles, and the direct charges made, and I have a copy of the thing at home, by the Trade Union Conference was that Bridges came down on the night they were going to have an election and talked so long that they had to postpone the election so they could bring the longshoremen in to swing the vote for the Communist Party the next week.

(Testimony of Thomas Laurence.)

Q. That is what you base the statement that you made on? A. Yes.

Q. I didn't hear the answer.

A. I said, "Yes." What statement are you talking [989] about now?

Q. The same that you made concerning Bridges' connection with this.

A. That is Bridges' connection with the CIO Council.

Q. Have you anything to add to that?

A. I can't recall at the minute.

Q. Well, now, this election in the council, was there an election at all? A. Yes, there was.

Q. Who participated in it? Delegates to the council? A. Yes, sir.

Q. How were these delegates chosen by the various unions?

A. Generally speaking, they were elected, or appointed, in some unions appointed.

Q. Were you a delegate, for example?

A. Yes, I was.

Q. How were you selected?

A. Appointed by the joint board of the International Ladies' Garment Workers Union.

Q. Similar methods were used, I take it, in other unions? A. Yes, sir.

Q. Elected or selected, is that right?

A. Yes, sir. [990]

Q. Was there anything wrong, to your knowledge, with the selection or election of longshore delegates to that council election?

(Testimony of Thomas Laurence.)

A. No, no, there was nothing wrong about it, only the purpose for which it was done. You see, there were two men running for the office of Secretary.

Q. Yes.

A. And Jordan was connected with the Maritime Industry at one time.

Q. Who was the other man?

A. William Busick. [991]

Q. And who was Jordan?

A. Jordan was a member of the Maritime Union and would invariably get the votes of the longshoremen members.

Q. And am I to understand then that your opposition to Bridges with respect to that incident is that you feel that he supported Jordan and you thought that improper?

A. No. You are—

Mr. Del-Guercio (Interposing): Just a minute. The witness said he thought Mr. Bridges supported the Communist Party policy.

The Witness: Yes.

Presiding Inspector: I think the witness is able to take care of himself.

By Mr. Gladstein:

Q. Isn't this true, Mr. Laurence, that all that happened in connection with that election is that the election was postponed for a week in order to permit the seating of delegates from the longshoremen?

A. Not to my understanding.

Q. Was there a postponement of one week?

(Testimony of Thomas Laurence.)

A. There was a postponement because Bridges talked so long that they weren't able to hold an election.

Q. Did he or did he not in his talk ask for the postponement in order to enable the seating of delegates to take place from the longshore union? [992]

A. I don't know.

Q. You do know, do you not, that the longshore delegates were actually seated thereafter?

A. Yes.

Q. And did participate in the election?

A. Yes.

Q. And you don't claim that there was anything wrong in the way in which the longshore delegates were chosen, do you?

A. I don't know anything about how the longshore delegates were chosen.

Q. Now, were you present the night that you say Bridges made this long talk?

A. I was not.

Q. You weren't present?

A. I was not.

Q. What you have been testifying to is hearsay, is that right?

A. Absolutely.

Q. You don't know actually what he said?

A. No, don't.

Q. You don't know what purpose he gave to the group when he expressed himself on this question of the delay?

A. There is a statement put out by the Los Angeles Trade Union Conference, the part that

(Testimony of Thomas Laurence.)

split, withdrew from the CIO Council, that contains the identical statement, identical charge. [993]

Presiding Inspector: Just a moment. Mr. Gladstein, am I wrong in thinking that this whole examination simply relates to what this witness thought was the attitude of Mr. Bridges to which he was opposed? You are not using this as original evidence of what did take place?

Mr. Gladstein: Your statement is correct; that is right.

Presiding Inspector: I wanted to understand that.

Mr. Gladstein: I want to bring out those things which are points of disagreement.

Presiding Inspector: The understanding of this witness?

Mr. Gladstein: Naturally, they would be based on that unless there is some objective concerning which there could be no dispute.

Presiding Inspector: We haven't heard anything of that kind, excepting in relation to this one meeting.

By Mr. Gladstein:

Q. You mentioned the Los Angeles Trade Union Conference. What was that?

A. That was a group that withdrew from the Los Angeles Industrial Council of the CIO because of this domination by the Communists.

Q. Did they ever return?

A. Some of them returned; yes.

(Testimony of Thomas Laurence.)

Q. Which ones did and which ones did not, according to your best recollection? [994]

A. The rubber workers returned, some of the representatives of the automobile workers returned. At present I can't recall any more.

Q. Let me put it this way; Can you think of any groups that were in that Trade Union Conference that have not returned to the CIO Council?

A. Groups?

Q. Yes—Unions.

A. I don't know—my Union has been out of the CIO for several years.

Q. That is the ILGWU? A. Yes.

Q. Can you think of any other union, besides that one, which has not returned to the CIO since this incident you have been describing?

A. I don't know; I couldn't positively state. I know this: That many of those groups, unions that were in that Conference, were forced to return through pressure of their International office officials.

Q. You say that some of the groups went back to the CIO only because of the pressure that was put on them from the International?

A. Yes.

Q. Was this pressure put on after the facts, the facts contained in the charges made by the Trade Union Conference, were [995] brought to the attention of the various International officers?

A. After the facts?

Q. Well, now, I will put it this way—that was

(Testimony of Thomas Laurence.)

rather complicated. I understood you to say that when this group, the Los Angeles Trade Union Conference withdrew from the Los Angeles Council it set up charges which it made public?

A. Oh, yes.

Q. Some time thereafter, with the exception of the IEGWU, the rest of the Unions, as far as you know, returned to the CIO Council? A. Yes.

Q. Now, before the return of the various Unions to the CIO Council you said that pressure was exerted by the International Officials in the cases of some local unions in order to get them to come back, is that correct? A. Yes.

Q. Now, before that pressure was exerted do you know if it is a fact that these charges made by the Los Angeles Trade Union Conference were brought to the attention of the International officials of the various International Unions whose locals had gone out with this Los Angeles Trade Union Conference? A. Yes.

Q. Those facts had been brought before the officials? A. Yes.

Q. And despite that the International Officials ordered [996] the local unions to return to the Council, is that correct?

A. That is correct.

Q. Now, can you think of any other points of disagreement, Mr. Laurence, that you feel that you have had with Mr. Bridges on Trade Union policies, or matters since 1934? A. No.

(Testimony of Thomas Laurence.)

Q. You have stated all that you can remember at the present time?

A. At the present time I can't recall any other incidents.

Q. Now, Mr. Laurence, do you remember whether you felt opposition in your mind to the policies you considered Mr. Bridges was following in connection with the Ford strike down in Los Angeles, or San Pedro, rather?

Mr. Del Guercio: Is that contained in the article, may I ask, if your Honor please?

Mr. Gladstein: The city is not mentioned so far as I know.

Mr. Del Guercio: Why not tell the witness that is what is in the article, or introduce the article in evidence?

Mr. Gladstein: I will withdraw the question and put it another way.

By Mr. Gladstein:

Q. Do you recall a strike in Long Beach at the Ford plant? A. I do.

Q. Do you remember when that happened?

A. Approximately at the time I was in the CIO Council, at [997] that time.

Q. Isn't it a fact that you felt in disagreement, that is, you were in disagreement with Mr. Bridges as to his policies in connection with that Ford strike?

A. Are you referring to the article where Bridges has told the workers to go back to work?

Q. Yes. I will show that part of the article.

(Testimony of Thomas Laurence.)

to you so it will be fresh in your mind. It is the paragraph that stands out in bold print. Do you want to read it? (Referring to article indicated).

A. Yes; I remember the incident.

Q. What was that incident, please?

A. Well, I wasn't there at this meeting. I only know what the delegates that were at the meeting reported to the CIO Industrial Council, and what was reported to me by CIO members. I can't attend every meeting. The statement was that Bridges had told the workers to go back to work if they had to go back on their bellies. And some of the longshoremen delegates told me in Long Beach that after that meeting, in which Mr. Bridges was booed, he went over to the longshoremen and changed directly about.

Q. Have you finished your answer?

A. Yes.

Q. Isn't it a fact that Mr. Bridges was opposed to that strike for reasons which he made public?

[998]

A. I don't know.

Q. Isn't it a fact that one of the reasons he was opposed to that strike was because he felt there was no possibility of winning it?

A. From my knowledge, any time the Communists do not control or lead a Union, they are not interested in whether the strike is ever won or not. They had rather see it lost, and be able to discredit the leadership that is leading that strike.

(Testimony of Thomas Laurence.)

Mr. Gladstein: Would you read the question again, please?

(The question referred to was read by the reporter as above recorded.)

Mr. Myron: He is asking the witness to read Mr. Bridges' mind.

Presiding Inspector: I know, but all these questions, although they are directed as to Mr. Bridges' actions, or his doings, or his thoughts, are only, as explained by Mr. Gladstein, the idea of this witness about them. They have no value as proof of Mr. Bridges' actions.

Mr. Gladstein: That is right.

Presiding Inspector: He is only testing, in other words, the attitude of this witness as bearing upon his own credibility. That is the foundation of this testimony.

Mr. Myron: That attitude in every respect is predicated on the witness' knowledge that Mr. Bridges was following the [999] Communist Party line.

Presiding Inspector: That is what his idea is.

Mr. Myron: Those questions don't include that.

Presiding Inspector: He made that quite clear.

Mr. Gladstein: Would you like to have the question re-read, Mr. Laurence? I would like to have you answer it directly if you can?

The Witness: What is the question?

Mr. Gladstein: Read the last question, please.

(The question referred to was read by the reporter as above recorded.)

(Testimony of Thomas Laurence.)

A. I am not interested in what Bridges might have said for public consumption. My thoughts on the matter are from the point of view that I have seen the workers in any unions where there is a leadership that may be opposed to the Communists or Mr. Bridges.

By Mr. Gladstein:

Q. Did you know that Bridges had stated that he was opposed to this strike at the Ford plant in Long Beach because there wasn't any possibility of winning it? A. Did I know that?

Q. Yes. A. No.

Q. Did you know that some of the persons who were out on that strike have not been able to get back on their jobs since [1000] that time?

A. I don't know anything about the circumstances of it.

Q. Did you know at the time that you wrote this article in June of 1938 that this particular local union of workers had gone on record supporting and endorsing the advice that Bridges had given in connection with that strike?

A. I don't know. May I ask you a question: Was it the same leadership that was out on strike at that time?

Q. If you want to ask the question you will have to come down here.

A. You are implying in your question—

Presiding Inspector: No, no, no. He is asking for information. I think.

The Witness: He is implying—

(Testimony of Thomas Laurence.)

Presiding Inspector: No, no. You are a witness here and you cannot argue it.

By Mr. Gladstein:

Q. Concerning this article, Mr. Laurence, it would be fair to say, would it not, that at least as to a part of the contents of this article which you wrote, you were relying on hearsay information, information that was brought to you?

A. Yes. I relied on information from other members of the Industrial Union Council.

Q. But whether that information was obtained by you first-hand from your own experience or knowledge, or whether it was [1001] obtained simply by hearsay, would it be correct to say that you believed to be correct all of the things that you stated in that article? A. Yes.

Mr. Gladstein: If your Honor please, under the circumstances I think perhaps, especially since the Government has requested it, that that article ought to go into evidence.

Presiding Inspector: Very well.

Mr. Del Guercio: As Alien's Exhibit.

Mr. Gladstein: We have no objection to it.

Presiding Inspector: It may be received.

(The publication referred to was received in evidence and marked Alien's Exhibit No. 5.)

Presiding Inspector: We will suspend at this point, but I would like to see counsel for a moment in chambers.

Tomorrow morning at 10:00 o'clock.

(Testimony of Thomas Laurence.)

(Whereupon, at 4:05 P.M. an adjournment was taken until Thursday, April 17, 1941, at 10:00 A. M.) [1002]

Court Room 276,
Federal Building,
San Francisco, California,

April 17, 1941.

Met, pursuant to adjournment, at 10:00 A.M.

[1003]

PROCEEDINGS

Presiding Inspector: We are ready to resume, Mr. Del Guercio. Call your witness.

Mr. Del Guercio: Mr. Laurence is here for further cross examination.

Presiding Inspector: You may proceed with the cross examination.

THOMAS LAURENCE

called as a witness on behalf of the Government, having been previously duly sworn, testified further as follows:

Cross Examination (Resumed)

By Mr. Gladstein:

Q. Mr. Laurence, yesterday I think you said

(Testimony of Thomas Laurence.)

that you were employed as a cutter at the Red Cross? A. Yes.

Q. Is that in Los Angeles? A. Yes.

Q. How long have you been employed there?

A. I started just a week ago.

Q. I didn't hear that.

A. I just started a week ago.

Q. Immediately prior to that where were you employed?

A. I was employed by the Rosamond Cloak and Suit Company as a cutter.

Q. Was there a period of unemployment between those two [1004] employments?

A. There was.

Q. For how long was that period?

A. I should say about two months and a half.

Q. Were you on relief during that period?

A. I was not.

Q. How long did you work for the Rosamond Company? A. Approximately three months.

Q. In what capacity were you employed there?

A. As a cutter.

Q. And before that where were you employed?

A. Before that I wasn't employed steady at any place. In fact, for the past two years I haven't worked steady at any place.

Q. Have you ever been employed to give reports on union activities?

A. Employed to give reports to whom?

Q. On union activities? A. To whom?

Q. Anybody? A. No.

(Testimony of Thomas Laurence.)

Q. Have you ever given such reports?

A. To whom?

Q. To anybody?

A. On union activities?

[1005]

Q. Yes.

A. I don't understand what you mean.

Q. Do you know a man by the name of Captain Hynes?

A. Yes.

Q. Have you ever given him reports on labor activities?

A. I have not.

Q. Have you ever given him reports of any kind?

A. No, sir.

Q. Have you ever given reports to anyone?

A. No.

Presiding Inspector: Outside of the labor unions themselves, you mean? He may have given reports within the labor unions.

Mr. Gladstein: I mean outside of the labor movement.

The Witness: Outside of the labor movement, I made no reports to no one.

By Mr. Gladstein:

Q. I believe you said you were Business Agent of your union at one time.

A. For a year and a half.

Q. What union was that?

A. International Ladies' Garment Workers Unions.

Q. Was it a local union?

A. Well, it was a local in Los Angeles, yes.

Q. What local was it?

(Testimony of Thomas Laurence.)

A. I was employed by the Joint Board, not by a local. [1006]

Q. Well, then, you were a Business Agent employed by the Joint Board of the ILGWU?

A. Correct.

Q. Was your employment confined to duties connected with any particular local union?

A. My employment was connected with Local 96 and Local 84.

Q. Both in Los Angeles? A. Yes, sir.

Q. Did you receive that employment by virtue of appointment or election?

A. I was appointed.

Q. For how long a period?

A. I was appointed for the expiration of the term of the other Business Agent that went out.

Q. And how long was that unexpired term to which you were appointed?

A. That was about—well, the elections had been postponed in the union when I went into office; it was about a year.

Q. But the elections were postponed?

A. About six months or a year. Due to internal strife in the organization elections were postponed.

Q. Well, originally when you were first appointed how long did you understand that you were to serve? [1007]

A. Until the next election.

Q. Was there any particular period from that time for the next election to be held?

(Testimony of Thomas Laurence.)

A. Yes, there was.

Q. How long until it was to be held?

A. I believe it was about a year and a half.

Q. So that your testimony is that you were appointed to an unexpired term of a year and a half?

A. That is correct.

Q. You filled out that term?

A. I left before the elections; I resigned my position.

Q. You resigned your job? A. I did.

Q. By the way, what time of the evening did you look through the window of your apartment?

A. I don't exactly know the specific time but I imagine that it was around between 7:30 and 8:00.

Q. That is as close as you can put it?

A. That is as close as I can put it.

Q. Do you believe in overthrowing the Government by force and violence?

A. I have never believed in it.

Q. Yesterday you were telling about some of the differences which existed between you and the policies which you considered Mr. Bridges followed. Did you feel pretty strongly [1008] about those differences, Mr. Laurence?

A. Yes, I would say I do.

Q. And always have?

A. Always have, did you say?

Q. Yes.

A. I named you the period of time when I

(Testimony of Thomas Laurence.)

violently disagreed with the policies that were followed by the Communists.

Q. Would it be fair to say that you feel that the policies Mr. Bridges was following were destructive of the trade union movement?

A. Yes, a menace to the trade union movement.

Q. Do you still feel that way?

A. Yes, sir.

Q. And to the CIO? A. No, I don't.

Q. No; I mean do you still feel that the policies Mr. Bridges was following—

A. (Interposing) Are a menace to the CIO?

Q. Yes. A. Yes, sir.

Q. You do? A. Yes, sir.

Q. The Los Angeles Trade Union conference concerning which you gave testimony yesterday, I think you said that you were an individual who was a part of that? [1009] A. I was.

Presiding Inspector: Keep your voice up, if you can, Mr. Laurence.

By Mr. Gladstein:

Q. As a matter of fact, it was in connection with that, was it not, that you wrote this letter to the magazine, The Justice? A. Yes, sir.

[1010]

Q. Now, after that article of yours appeared in the periodical, The Justice, isn't it true that you were taken to task in the CIO Industrial Union Council in Los Angeles and that a letter was authorized written by that Council repudiating your article? A. Yes.

(Testimony of Thomas Laurence.)

Mr. Gladstein: I think that is all, your Honor.

Presiding Inspector: Anything further with this witness?

Mr. Del Guercio: Yes. I have a few questions, your Honor.

Redirect Examination

By Mr. Del Guercio:

Q. Have you ever harbored any personal animosity towards the Alien, Bridges, here?

A. No.

Q. Do you have any now?

A. I do not.

Q. Have you ever had?

A. I have never had.

Q. Do you have any personal grievance against Bridges?

A. No; I have no personal grievance whatsoever against him.

Q. Have you had any contacts with him at all during the period of time you have testified? [1011]

A. No personal contacts; no.

Mr. Del Guercio: That is all.

Presiding Inspector: That is all.

Mr. Del Guercio: May the witness be excused?

Presiding Inspector: Yes; you may be excused.

(Witness excused.)

Presiding Inspector: Call your next witness.

Mr. Del Guercio: Yes.

Presiding Inspector: Raise your right hand and be sworn.

FRANK RYAN

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio:

Q. What is your name? A. Frank Ryan.

Q. And where do you live?

A. 1118 Bellevue.

Q. What City? A. Los Angeles.

Q. Are you employed at the present time?

A. Yes.

Q. What is your employment?

A. I am a cutter and pattern maker at the Belle

Sports [1012] Wear.

Q. Where were you born?

A. In the State of Arizona.

Q. Are you married? A. Yes.

Q. Do you have any children? A. Yes.

Q. Are you a member of any union at the present time, labor union?

A. Not at the present time; no.

Q. Have you ever been?

A. I have been—the ILGWU.

Q. Where? A. In Los Angeles.

Q. Have you ever been a member of the Communist Party? A. Yes.

Q. When?

A. During the period from 1933 to 1936.

Q. Where did you join the Communist Party?

A. In Los Angeles.

Q. How did you come to join the Communist Party?

(Testimony of Frank Ryan.)

A. Well, I joined the Communist Party shortly after the Garment Workers General strike, the dress strike, in Los Angeles.

Q. Why did you join the Communist Party?
[1013]

A. I felt at that time that their program would benefit the conditions of the workers, that is, it would help in raising the conditions of the workers generally.

Q. Why did you leave the Communist Party?

A. Because I felt the reverse was true; that instead of benefitting the members of unions their policies were detrimental in organizing workers into the unions.

Q. You say your present address is 1114 Bellevue Avenue?
A. 1118 Bellevue.

Q. How long have you lived there?

A. I have just been there for the last couple of weeks.

Q. Did you ever live at 1114 Bellevue Avenue, Los Angeles?

A. I lived at 1118 Bellevue Avenue, Los Angeles.

Q. Do you know Mr. Thomas Laurence?

A. Yes, I do.

Q. Did you ever live in the same apartment building that he lived in?
A. Yes.

Q. Where was that?
A. 1118 Bellevue.

Q. And what apartment did you occupy with respect to Laurence's apartment?

A. He lived downstairs in the basement and I lived upstairs on the second floor. [1014]

(Testimony of Frank Ryan.)

Q. During what period of time was it that you lived in this apartment?

A. I lived there during a period from 1934 to 1936.

Q. Was that during part of the time that you were a member of the Communist Party?

A. That is correct.

Presiding Inspector: What is the witness' name, Mr. Reporter?

The Reporter: Frank Ryan.

By Mr. Del Guercio:

Q. Were any meetings of the Communist Party held at your apartment during the time that you lived there?

A. Yes; unit meetings.

Q. Unit meetings? A. Yes.

Q. How often would such unit meetings be held in your apartment?

A. I imagine two or three times.

Q. Two or three times?

A. During the period; yes.

Q. During the entire period? A. Yes.

Q. Would Mr. Laurence attend such meetings in your apartment?

A. He attended at one time I was present, or two times; [1015] yes.

Q. Did you ever attend Communist Party meetings in Mr. Laurence's apartment?

A. Meetings of the same nature, unit meetings; yes.

Q. Were you living in that apartment during the time of the 1934 San Francisco strike?

(Testimony of Frank Ryan.)

A. Yes; I lived there at that time.

Q. Do you recall a particular meeting of the Communist Party held in your apartment at any time during the San Francisco strike in 1934?

A. No, I do not.

Q. Do you recall if Mr. Laurence ever told you that there had been a meeting of the Communist Party in Mr. Laurence's apartment at any time during the 1934 strike?

A. No.

Q. Who lived in the apartment with you at 1118 Bellevue Avenue?

A. Herman Harp and later on, George Smith.

Q. Have you ever seen the Alien here, Mr. Bridges?

A. No, only at a mass meeting in Los Angeles for the district.

Q. Did you ever hear of any meeting having been held in Mr. Laurence's apartment at which Mr. Bridges was present?

Mr. Grossman: If your Honor please, we object—

Presiding Inspector: This isn't evidence; it is whether [1016] he ever heard of it.

Mr. Grossman: Still, I am going to object to it as hearsay.

Presiding Inspector: Of course it is hearsay. It isn't of any importance except to identify an occasion, if it does.

Mr. Grossman: It is still hearsay to identify the occasion.

Presiding Inspector: You would probably find

(Testimony of Frank Ryan.)

some fault if this evidence wasn't produced. I will receive it. At least, an argument would be made on failure to produce it.

The Witness: Repeat the question.

Mr. Del Guercio: Read the question, Mr. Reporter.

(The question referred to was read by the reporter as above recorded.)

A. I was told by Mr. Laurence—

Presiding Inspector: "Yes" or "No"—that is all.

The Witness: "Yes" or "No"?

Presiding Inspector: Yes.

A. Yes, I heard there was a meeting being held there.

By Mr. Del Guercio:

Q. Who told you? A. Laurence.

Q. Thomas Laurence? A. Yes.

Q. When did he tell you? [1017]

Mr. Grossman: I am going to object to that as hearsay.

Presiding Inspector: I will receive it. It isn't any proof that it occurred, or very slight.

A. One evening there was a meeting in our apartment and Laurence told me early in this meeting privately that there was to be a meeting in his apartment downstairs at which Harry Bridges was to be present. [1018]

(Testimony of Frank Ryan.)-

By Mr. Del Guercio:

Q. Did Mr. Laurence mention if anybody else was to be present at that meeting?

A. No, he did not.

Q. Did he tell you what kind of a meeting was to be held downstairs in this apartment?

A. I can't recall.

Q. How many people were present in your apartment at this time?

A. I would say seven, six or seven people.

Q. Were you subpoenaed to appear as a witness in this proceeding?

A. Yes, sir.

Q. And when were you subpoenaed?

A. Last Tuesday or Wednesday.

Q. Tuesday or Wednesday of when? This week?

A. No; last week.

Q. Of last week. And where were you subpoenaed? Where was the subpoena served upon you?

A. At my shop, the shop I work at, in the hall in front of the shop.

Q. After the subpoena had been served upon you did anybody approach you?

A. Yes, sir.

Q. Who? A. Margolis. [1019]

Q. Mr. Margolis. What is his full name?

A. I don't know. He introduced himself as Margolis, a lawyer for the Bridges defense here.

Q. And where did he approach you?

A. Downstairs in front of my building.

Q. At Los Angeles? A. Los Angeles.

Q. What did he say to you?

(Testimony of Frank Ryan.)

A. He asked me in regards to the Bridges case. It seems he had heard that I would either—I was either to testify, or had been contacted in some manner.

Q. Did he ask you if you had been subpoenaed?

A. I don't know whether he used those terms or not; I told him I had been.

Q. You told him you had been. Now, when did you tell him you had been subpoenaed?

A. What?

Q. When did you tell him you had been subpoenaed?

A. Well, this was Monday of this week, Monday noon.

Q. Oh! Did you tell him at the beginning of the conversation you had with Mr. Margolis or during the conversation?

A. At the beginning, I believe.

Q. At the beginning. And what did he say then?

A. He asked me if I would be willing to make the same statement to him, or the same answers to the questions that I had to the person who had interviewed me in this case, the agent. [1020]

Q. Did Mr. Margolis tell you who he was, whom he was representing? A. Yes, sir.

Q. ~~Whom~~ did he say he was representing?

A. He said he was representing the Harry Bridges defense, in so far as I can recall.

Q. Did he say that he was an attorney?

A. Yes, he did.

(Testimony of Frank Ryan.)

Q. And did you make a statement to Mr. Margolis? A. Yes, I did.

Q. Did he write it down? A. Yes, sir.

Q. Where?

A. We walked around the corner there on—about a block away into a small restaurant and sat down in the booth and I told him in substance the same thing that I have testified here.

Q. And what did he ask you? Did you have any further conversation with him?

A. None except that either I or he inferred that I didn't have much to contribute in this case. Stated—perhaps, it was myself—and I said I didn't know whether I would even be called to testify.

Q. Did he say if he had contacted any other persons? A. No, he didn't.

Q. Did he ask you if you had been threatened by the [1021] FBI agents?

A. He asked me if this was a complete voluntary statement of mine to the FBI, yes, if there had been any question of threats or intimidation.

Q. And what did you reply?

A. I told him "No," there had not been.

Q. Did he ask you to sign the statement?

A. Yes, he did.

Q. What did you say?

A. Well, I refused to sign because it was questions and answers and it was written in pencil and I didn't feel that I wanted to obligate myself in any way to such a statement.

Mr. Del Guercio: You may cross examine.

(Testimony of Frank Ryan.)

Mr. Grossman: May we have a couple of minutes, your Honor?

Presiding Inspector: Certainly.

Mr. Del Guercio: What?

Presiding Inspector: They want a couple of minutes.

Cross Examination

By Mr. Grossman:

Q. Mr. Ryan, when you spoke to Mr. Margolis did you tell him that Laurence had told you that the meeting at which Bridges was to be was a trade union meeting?

A. I told Mr. Margolis that as far as I could recollect [1022] I didn't know whether it was to be a trade union meeting or not, that is, I couldn't tell what type of meeting this was supposed to be, that is, whether it was a trade union meeting or it was not from Mr. Laurence's remarks.

Mr. Grossman: That is all, no more questions.

Mr. Del Guercio: May the witness be excused?

Presiding Inspector: Yes, I guess so. You are excused.

(Witness excused.)

Mr. Del Guercio: We have another witness coming up.

Presiding Inspector: I beg your pardon?

Mr. Del Guercio: We have another witness.

Presiding Inspector: You will call him right away, will you?

Mr. Del Guercio: Yes, we will call him right now.

Presiding Inspector: Raise your right hand.

MAURICE J. CANNALONGA

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio:

Q. What is your name?

A. Maurice J. Cannalonga.

The Reporter: Spell it, please.

The Witness: M-a-u-r-i-c-e C-a-n-n-a-l-o-n-g-a.

Mr. Del Guercio: Speak a little louder.

The Witness: I can't; my throat is on the bum.

[1023]

Presiding Inspector: Do the best you can. We all have that trouble now and then.

The witness is evidently very hoarse.

By Mr. Del Guercio:

Q. Where do you live, Mr. Cannalonga?

A. Seattle, Washington.

Q. And what is your present occupation?

A. I was electrician on a ship.

Q. Are you a member of any union at the present time?

A. The Marine Firemen's Union.

Q. Marine Firemen's Union?

A. Yes, sir.

Q. Is that an affiliate of the CIO?

A. No, it is independent.

(Testimony of Maurice J. Cannalunga.)

Q. An independent union. And how long have you been a member of such union?

A. Since '34.

Q. Are you a member in that union at the present time? A. Yes.

Q. Have you ever previously testified in any case involving Mr. Bridges? A. No.

Q. Have you ever been a member of any other union other than the one you just stated?

A. No. [1024]

Q. Have you ever been a member of the Communist Party, Mr. Cannalunga? A. Yes, sir.

Mr. Del Guercio: Your answer is what?

Presiding Inspector: "Yes," he said.

By Mr. Del Guercio:

Q. And when did you join the Communist Party?

A. Oh, I believe, the latter part of '35 or the early part of '36, somewhere in that time. [1025]

Q. The latter part of 1935 or the early part of 1936? A. Yes; somewhere around there.

Q. And where did you join? A. Seattle.

Q. In Seattle, Washington? A. Yes.

Q. Why did you join the Communist Party at that time?

A. Well, I thought the workers would get a better break through the leadership of the Communist Party.

Mr. Del Guercio: What is that—I didn't hear.

Presiding Inspector: He said he thought the workers would get a better break through the leadership of the Communist Party.

(Testimony of Maurice J. Cannalonga.)

Isn't that what you said?

The Witness: Yes.

By Mr. Del Guercio:

Q. What made you feel that the workers would get a better break by joining the Communist Party?

A. Well, it was just because of the capitalist system, and the troubles that we went through in 1934, getting battered around, trying to make better conditions for ourselves, and so forth and so on.

Q. Well, did anyone ask you to join the Communist Party? A. Yes.

Q. Who? [1026] A. Walter Stack.

Q. Walter Stack—S-t-a-c-k? A. Yes.

Q. How long did you remain a member of the Communist Party?

A. Until about July of 1937.

Q. Then what happened?

A. Well, I quit.

Q. You quit it? A. Yes.

Q. Voluntarily? A. Oh, yes.

Q. You were not expelled? A. No.

Q. Where were you at the time you left the Communist Party?

A. I was ashore and then I shipped out.

Q. Under what name did you join the Communist Party?

A. I joined under my own name, and then was advised to; or took the Party name, "M. J. Cann."

Q. Is that your true name?

A. What is that, sir?

Q. Is that your true name, M. J. Cann?

(Testimony of Maurice J. Cannalunga.)

A. That was my initials. I was told to use a phony name. Instead of putting in a phony name I cut off some of the [1027] letters off my own name.

Q. Who told you to use a phony name?

A. Well, when I joined it was the policy of not using your own name.

Q. It was whose policy?

A. The Party's policy.

Q. What Party, the Communist Party?

A. Yes.

Q. Were you given a membership book?

A. Yes.

Q. And in what name was your membership book? A. M. J. Cann.

Q. You say Walter Stack induced you to join the Communist Party, is that correct?

A. Yes.

Q. What arguments did he use, if any, in getting you to join?

A. He used quite a few arguments.

Q. What were some of them?

A. Well, some of them was that the Communist Party was the leader of the workers in the country and by joining the Party it would build up the unions and give leadership to the members in the union.

Q. Did he say anything else?

A. Well, he mentioned quite a few things. I don't quite [1028] recall them now.

Q. Did he say anything in regard to Harry Bridges? A. Yes, he mentioned Bridges.

(Testimony of Maurice J. Cannalunga.)

Q. What did he say about Bridges?

A. He said that he was a member.

Q. Member of what? A. Of the Party.

Q. What Party?

A. Of the Communist Party.

Q. And he told you that at the time?

A. Yes.

Q. That is, at the time he asked you to join the Communist Party? A. Yes.

Q. During the time that you were a member of the Communist Party were you given any duties to perform by the Communist Party?

A. Yes. I was given routine waterfront work to do, such as contacting ships and getting new members to come into the Party, and build up the Party.

Q. Do you know why they gave you that particular assignment?

A. Yes; to build up the Party.

Q. To build up the Party. Were you popular there at the waterfront at that time? [1029]

A. Yes.

Q. And did you do what they asked you to do?

A. Yes.

Q. And did you get men to join the Communist Party? A. Yes.

Q. How many, would you say?

A. Oh, ten or fifteen; somewhere in that neighborhood.

Q. Do you know what the program of the Com-

(Testimony of Maurice J. Cannalonga.)

munist Party was at that time regarding the building up of Maritime Labor Unions?

A. Yes. Eventually they figured on the world revolution and by having leadership in the Unions, and strikes and so forth, it would create a class conscience of the workers and they, in turn, would be benefitted for the coming world revolution.

Q. And who told you this, Mr. Cannalonga?

A. The Party books, and so forth.

Q. Who did you work with as a waterfront organizer?

A. Stack.

Q. Anyone else?

A. There were quite a few, but I don't quite recall now.

Q. Did you ever work along with Morris Rappaport and Harry Jackson?

A. Oh, yes.

Q. Who was Morris Rappaport?

A. He was Section Organizer. [1030]

Q. Of what?

A. District Organizer.

Q. Of What?

A. Of the Communist Party.

Q. When you use the term "Party" you mean the Communist Party?

A. Oh, yes; sure.

Q. Who was Harry Jackson?

A. Well, he had the Union end of it, sort of a labor advisor—I don't know what you would call him.

Q. Was he a member of the Communist Party?

A. Yes.

Q. Was Morris Rappaport a union man?

A. No.

(Testimony of Maurice J. Cannalonga.)

Q. Was Jackson a union man? A. No.

Q. Did you have any office from which to carry out your work as waterfront organizer for the Communist Party? A. Yes.

Q. Where were your offices?

A. It was in the Eitel Building first, and then we moved upstairs over the public market, in Seattle, at Pike Street, the corner of Pike and First Streets.

The Reporter: How do you spell the name of that building?

The Witness: E-i-t-e-l. [1031]

By Mr. Del Guercio:

Q. Why did they give you an office, Mr. Cannalonga?

A. Well, we had the Red Beacon—we put out a waterfront paper, mimeographed, and we collected dues from the different units.

Q. You put out a waterfront paper?

A. Yes.

Q. What was the name of the waterfront paper? A. The Red Beacon.

Q. The Red Beacon? A. Yes.

Q. Did you have anything to do with this paper?

A. Yes. I helped make it up, edited it, and put out different assignments to the different Party members, articles and so forth.

Q. Well, did you have any other duties besides doing the things that you have said for the Red Beacon and waterfront organizing?

A. Well, contacting the different organizations, waterfront units.

(Testimony of Maurice J. Cannalunga.)

Q. Were you being paid for doing that by the Communist Party? A. Yes.

Q. What? A. Yes.

Q. How much were you being paid? [1032]

A. About \$6.00 a week.

Q. Were you doing any other kind of work?

A. No.

Q. That is, during that period of time?

A. No; I was on full duty.

Q. How were you able to support yourself on \$6.00 a week?

A. Well, I was living with friends. I didn't have to worry about board and room.

Q. Were you continuously employed by the Communist Party in those functions during that time?

A. I don't know whether you would call that employed or not. It was voluntary.

Q. While you occupied these offices in the Eitel Building on First Avenue and Pike Street, did you have custody of any membership cards?

A. Yes.

Q. How many? A. All of them.

Q. All of them? A. On the waterfront.

Q. All of the membership cards of the waterfront Communist? A. Yes; for Seattle.

Q. For Seattle? A. Yes.

Q. And did you have a membership card, Communist Party [1033] membership card for Phil Poth?

A. I don't know.

Q. Do you know Phil Poth?

A. I don't recall him.

(Testimony of Maurice J. Cannalunga.)

Q. Did you have a membership card for Ernie Fox? A. Yes.

Q. Did you have one for John Ryan Davis?

A. Who?

Q. John Ryan Davis? A. Yes.

Q. Do you know Bruce Hannon

A. No, I don't recall him.

Q. Do you know Burt Nelson?

A. I don't believe I do; I can't recall.

Q. Do you know the Alien, Harry Bridges?

A. Yes.

Q. Where is he?

A. Right there (indicating) with a striped tie.

Mr. Del Guercio: May the record show the witness has identified the Alien, Mr. Bridges?

Presiding Inspector: The record may so show, yes, and that he is wearing a striped tie.

By Mr. Del Guercio:

Q. During your membership in the Communist Party did you ever have occasion to meet Harry Bridges?

A. Yes. I was on the Firemen's Negotiating Committee in [1034] the fall of 1935 or 1936.

Q. In the fall of 1936?

A. Yes; just previous to the 1936-1937 strike when we were trying to meet with the ship owners for a better agreement.

Q. And where did you meet Harry Bridges at that time? A. Well, at various places.

Q. Well, can you recall any specific meeting

(Testimony of Maurice J. Cannalunga.)

that occurred during 1936 in which Harry Bridges was present?

A. Oh, yes. There was half a dozen—practically every day.

Q. You would meet with Mr. Bridges every day, practically?

A. Well, during that time, you see, we were negotiating for a new contract.

Q. Negotiating with whom?

A. With the shipowners.

Q. And what was Bridges doing?

A. He was with the longshoremen and we would all go up in the same building.

Q. These meetings that you had with Bridges at that time were not Communist meetings, were they?

A. No, they wasn't Party meetings.

Q. Did you ever attend a Communist Party meeting with Harry Bridges?

A. No, I can't say that I have.

Q. Did you ever attend a meeting with Harry Bridges in which all persons present were members of the Communist Party? [1035]

A. Well, I couldn't say that all persons were Communists.

Q. Well, tell me some of those meetings that you had.

A. Well, the Federation was meeting as a whole, all the fellows on the Negotiating Committee, and we would meet and discuss things as we went along. The shipowners would only meet one group at a time, and we would meet and discuss the headway

(Testimony of Maurice J. Cannalunga.)

we had made. And then there was a few informal meetings where a bunch of us got together and discussed—oh, I don't know what you would call it—the action that had been taken during the day. I recall one instance when the sailors had decided to go on their own and some small group of us met together and decided to go back in the organization and report—

Q. (Interposing) What?

A. (Continuing) —decided to go back to our own organization and report that the sailors were going to break away from the Federation group, and we were going on our own. [1036]

Q. Well, Mr. Cannalunga, do you remember the time that the Maritime Federation of the Pacific Coast called a strike in 1936?

A. Well, I was in Portland when it was called.

Q. What?

A. I was in Portland when it was called.

Q. You were in Portland when it was called. Now, shortly before the strike was called did you attend any meeting in San Francisco?

A. Yes, I attended dozens of them.

Q. Well, did you attend any Communist Party meetings in San Francisco?

A. Yes, sir.

Q. What? A. Yes, sir.

Q. Where was that?

A. Well, some were in private homes and some were at a little—well, mostly all in private homes.

Q. Mostly in private homes? A. Yes, sir.

Q. Well, how did you get down from Portland

(Testimony of Maurice J. Cannalunga.)

to San Francisco at that time; that is, shortly before this——

A. (Interposing) Well, it was an assignment to get down to Frisco. It was a Party decision that I go to Frisco and they were going to build me up again so I could run for office.

Q. By the "Party" you mean the Communist Party? [1037] A. Yes, sir.

Q. Who spoke for the Communist Party? Who told you to go down to San Francisco?

A. It was the decision of, well, Rapport and Jackson.

Q. Rapport and Jackson? A. Yes, sir.

Q. They told you to go down to San Francisco and try to build yourself up among the rank and file there? A. Yes, sir.

Q. That you were to run for Business Agent, did you say? A. Yes, of Portland.

Q. Business Agent for what?

A. Portland for the Marine Firemen.

Q. Marine Firemen? A. Yes, sir.

Q. And you did come down to San Francisco?

A. Yes, sir.

Q. And why did they want you to run for Business Agent of the Marine Firemen's Union?

A. Well, so they could get control of the Portland Local.

Q. Get control of the Portland office?

A. Yes, sir.

Q. Get the control for whom?

(Testimony of Maurice J. Cannalunga.)

A. The Party. [1038]

Q. For the Communist Party?

A. Yes, sir.

Q. And when did you arrive in San Francisco?

A. Oh, I don't recall the date.

Q. Well, with regard to the 1936 strike when did you arrive?

A. Oh, about a month before the strike.

Q. About a month before the strike?

A. Yes.

Q. Did anybody come down with you?

A. No; I come down on a ship.

Q. You came down on a ship? A. Yes, sir.

Q. Were you met by anyone in San Francisco upon your arrival?

A. No; I was told to contact some of the Party members in Frisco.

Q. Did you contact any Communist Party members in San Francisco? A. Yes.

Q. Whom?

A. Oh, I don't recall his name now.

Q. Well, let me ask you this question, Mr. Cannalunga: Did you meet Walter Stack in San Francisco? A. No; he was up in Seattle.

Q. He was up in Seattle at that time? [1039]

A. Yes, sir.

Q. Well, did you attend any meeting there in San Francisco after your arrival? A. Oh, yes.

Q. And where did you attend the meeting?

A. Mostly in private homes.

Q. Some private home. And who took you to this private home?

(Testimony of Maurice J. Cannalonga.)

A. I was driven out to a couple of places by automobile.

Q. But you don't know the place, the particular places you went? A. No.

Q. And who was present at those meetings, at the first meeting?

A. Well, the first meeting, all Communist Party members.

Q. Well, who were some of them?

A. Oh, I don't recall any of their names. There were so many meetings and people that I have met that I would have to be a master mind to remember the names.

Q. Well, was William Schneiderman present?

A. Yes, he was present at one of the meetings.

Q. Was Walter Stack present at any of the meetings?

A. Yes, later on, not when I first got down.

Q. Well, Mr. Cannalonga, did you talk to me about this case before today? [1040].

A. Yes, sir.

Q. What did you tell me about your being willing to appear here and testify?

A. I don't recall.

Q. Well, were you willing to appear to testify?

A. Against the Party, yes.

Q. What? A. Against the Party, yes.

Q. Against the Party. How about against Harry Bridges?

A. Well, I don't know what there is to testify against him.

(Testimony of Maurice J. Cannalonga.)

Q. Well, did you tell me that you were afraid to testify because you would lose your job among the longshoremen? A. No.

Q. Along the waterfront? A. No.

Presiding Inspector: He says "No."

By Mr. Del Guercio:.

Q. Did you tell me that after you testified here you would have to go away from the Coast, that you would have to go inland? A. No.

Q. What? A. I don't remember.

Presiding Inspector: He says "No." [1041]

The Witness: I don't remember.

Presiding Inspector: Now, he says he doesn't remember.

By Mr. Del Guercio:

Q. You do remember talking to me, don't you?

A. Yes, I remember talking to you. There was a telegram—

Q. (Interposing) There was a what?

A. A telegram come down on a ship and I saw—I don't know his name—a couple of men.

Q. Well, when did you talk to me?

A. That was last week.

Q. Last week. And where was it? Where did you talk to me? A. The Elks Club.

Q. In the Elks Club. And who was present?

A. You and about three others. Three others.

Q. You said you didn't tell me you were afraid to testify because if you did you would lose all

(Testimony of Maurice J. Cannalunga.)

your friends and you wouldn't be able to get a job here on the Pacific Coast?

A. Well, not in those words.

Q. Well, what did you say?

A. Oh, I don't quite remember what I said.

Q. Didn't you say that you would have to go to the East somewhere, that you wouldn't be able to get a job?

A. No; I said that I would go back East for a while, yes. [1042]

Q. Yes. Well, didn't you tell me at the time I talked to you that you had seen Harry Bridges in Communist Party meetings?

A. Well, I have seen him in meetings where there was a lot of Communists, yes. I have said that.

Q. Well, what meetings were they that you saw Harry Bridges at Communists meetings?

A. Well, one of them was—oh, there was a bunch of us from the waterfront that were Party members, Schneiderman, and there was a couple of longshoremen there, and Harry, but I don't know—it was in a private home.

Q. Well, when did that occur?

A. That occurred during the—just before—while we were negotiating.

Q. Well, let me ask you, has anybody contacted you since I talked to you?

A. No.

Q. Are you sure?

A. Positive.

Q. Did you make a statement to any FBI agents?

A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. When did you make such a statement?

A. Right after I got out of the hospital.

Q. Did you sign it?

A. I believe I did. [1043]

Q. Was it made voluntarily?

A. Yes and no.

Q. What do you mean "Yes and no?"

A. Just what I said.

Q. Well, now, was it made voluntarily?

A. (No response).

Q. Were you threatened? A. Well—

Presiding Inspector: You can answer these questions; answer them.

The Witness: Yes, I am trying to answer them.

Presiding Inspector: Yes, answer them straight.

Were you threatened?

The Witness: I don't know.

Presiding Inspector: If you were, say so.

The Witness: No; I don't believe I was.

By Mr. Del Guercio:

Q. Well, you don't believe you were. Do you know if you were threatened or not?

A. No, I was not threatened.

Q. Well, then, you were not threatened by the FBI men? A. No.

Q. Were you threatened by anyone?

A. No.

Q. Well, why do you hesitate about saying—

A. (Interposing) I am trying to recall this stuff. [1044]

(Testimony of Maurice J. Cannalunga.)

Q. Well, where did these men talk to you?

A. They took me up in the FBI headquarters in a room, oh, one of the side rooms, office room, with a screen around the window. I don't know what room it was.

Q. And you made a statement to them?

A. Yes.

Mr. Del Guercio: May I have the statement.

(The statement was handed to Mr. Del Guercio.)

By Mr. Del Guercio:

Q. Now, Mr. Cannalunga,—if the Court please, will you give me a little latitude in this? I believe this is a hostile witness. This has taken me by surprise here.

Presiding Inspector: We will see whether he is.

By Mr. Del Guercio:

Q. You state positively—you understand you are under oath, do you not? A. Yes, sir.

Q. (Continuing) —nobody has contacted you since I talked to you? A. No.

Q. Well, how many statements did you make to the FBI men?

A. I believe there was two of them.

Q. You are sure it was only two?

A. Yes, I believe so; I am not sure. [1045]

Q. And did you sign them?

A. Yes, I signed them.

Q. You read them over? A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. Did you make true statements to the FBI men?

A. Well, to the closest of my ability I thought I did.

Q. Well, would you say they were true, everything you told them?

A. I believe so.

Presiding Inspector: Could you hear the witness?

Mr. Gladstein: Very good, your Honor.

Presiding Inspector: Speak a little louder, if you can.

The Witness: I am trying to.

Presiding Inspector: Well, do you think if you stood back a little bit, Mr. Del Guercio, that would induce him to speak a little louder?

Mr. Del Guercio: Surely I will do that.

Presiding Inspector: It is a matter of habit frequently witnesses lowering their voice, you know.

Mr. Del Guercio: Surely.

By Mr. Del Guercio:

Q. Do you remember the dates upon which you made the statements to the FBI men?

A. Yes. I got off the branch—I believe it was [1046] September—and I went to the hospital with a hip out of joint, and when I got out of the hospital—oh, I think it was the latter part of September or October, somewhere around there.

Q. And at that time were you shown a photograph of Bruce Hannon?

A. I believe so.

Q. And did you identify that photograph?

A. If I knew him?

(Testimony of Maurice J. Cannalunga.)

Q. Yes. Did you identify that photograph?
Did you say you knew him?

A. Yes, if I see the photograph again I—

Q. (Interposing) Well, did you say whether or not you knew him when you were shown the photograph? A. Yes, sir.

Q. You said you did know him?

A. Yes, sir.

Q. Then, you do know Bruce Hannon?

A. I believe I do.

Q. Well, why did you testify here previously that you didn't know Bruce Hannon?

A. I didn't recall him at the time.

Q. And were you asked if you knew whether or not Bruce Hannon was a member of the Communist Party? A. I think I was asked that.

Q. And what did you say? [1047]

A. I believe I said he was.

Q. Well, didn't you say that you knew that he was both a member of the Young Communist League as well as the Longshoremen's Unit of the Communist Party at Seattle for the years 1936 and '37?

A. I believe I said that.

Q. Was that the truth? A. I—yes.

Q. Well, when I asked you here a moment ago as to whether or not you knew Bruce Hannon why did you say that you didn't know him?

A. I told you I didn't recall him at the time.

Q. That what?

A. I told you I didn't recall him at the time.

Q. At what time?

(Testimony of Maurice J. Cannalunga.)

A. When you asked me. See, you just freshened my memory then.

Q. Oh, I am refreshing your memory now?

A. Yes.

Q. And didn't you also say that you frequently met Bruce Hannon and that you visited him at the offices of the Young Communist League in the Eitel Building?

A. Yes, sir.

Q. Does that refresh your memory some more now?

A. Yes.

Q. Well, now; I will ask you: Do you know Bruce Hannon [1048] to be a member of the Communist Party?

A. Yes, sir.

Q. Your answer is what?

A. Yes.

Presiding Inspector: He said, "Yes."

By Mr. Del Guercio:

Q. Did you make a statement to the FBI men and did you tell me, when I talked to you, that you attended a fraction meeting at the Gowman Hotel at Seattle, Washington, during May or March of 1937 shortly after the 1937 strike?

A. Yes.

Q. Is that correct?

A. Yes.

Q. Is that true?

A. Yes.

Q. Did you tell the FBI men and did you tell me that there were present at that meeting Morris Rapport?

A. Yes, sir.

Q. Al Bristol?

A. Yes, sir.

Q. Harry Jackson?

A. Yes.

Q. Harry Bridges?

A. Yes.

Q. Henry Schmidt? [1049]

A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. Matt Meehan? A. Yes.

Q. Bruce Hannon? A. Yes, sir.

Q. Burt Nelson? A. Burt Nelson?

Q. Yes. A. Yes, sir.

Q. Ernie Fox A. Yes, sir.

Q. Harry Pileher? A. Yes, sir.

Q. And yourself? A. Yes, sir.

Q. Edward F. Fisher? A. Yes, sir.

Q. Laddie Hope, Everett W. Hope?

A. Yes, sir.

Q. Well, is it true that all those persons were present at that meeting? A. Yes, sir.

Q. And you knew them all to be members of the Communist Party?

A. Well, no. Like I stated I wasn't sure of one or [1050] two of them. Nobody has ever saw Bridges' Party book.

Q. Well, do you believe Mr. Bridges to be a member of the Communist Party?

A. Oh, I thought so, yes.

Q. Do you still think so? A. I don't know.

Q. Well, when did you change your mind?

A. Well, I haven't been in a Party for quite a while now and I don't know.

Q. Well, did you tell me when I talked to you that you didn't believe that Bridges was a member of the Communist Party?

A. I says in my own mind I had no doubt that he was but I was not sure.

Q. At this particular meeting here in the Gowman Hotel who invited you to attend that meeting?

(Testimony of Maurice J. Cannalunga.)

A. Jackson.

Q. Harry Jackson. Was he a union man?

A. No.

Q. Why did you attend the meeting in the Gowman Hotel?

A. Because I was waterfront section organizer.

Q. As waterfront section organizer of the Communist Party Harry Jackson told you to attend this meeting in the Gowman Hotel?

A. Yes, sir. [1051]

Q. And you went there? A. Yes, sir.

Q. And you saw all these men that I have just mentioned?

A. Yes, sir, and a few more besides.

Q. Let's take them one by one. You knew that Morris Rapport was a member of the Communist Party? A. Yes, sir.

Q. You knew that Al Bristol was a member of the Communist Party? A. Yes, sir.

Q. You know that Harry Jackson was a member of the Communist Party? A. Yes, sir.

Q. You knew that Henry Schmidt was a member of the Communist Party?

A. I was not sure of Schmidt.

Q. What?

A. No, I have never seen his Party book so I wouldn't say he was.

Q. Well, did you ever see Rapport's Party book?

A. Yes, I have seen Rapport's Party book.

Q. Did you ever see Bristol's Party book?

A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. And you saw Jackson's Party book?

A. Yes, sir. [1052]

Q. You never saw Schmidt's Party book?

A. No.

Q. Did you ever see Matt Meehan's Party book?

A. No.

Q. Do you know him to be a member of the Communist Party?

A. I believe he was.

Q. And you know Bruce Hannon was a member of the Communist Party?

A. Yes, he was.

Q. No doubt about that, is there?

A. I don't believe, no.

Q. And Burt Nelson?

A. Yes, he was, I believe.

Q. And Ernie Fox?

A. Yes.

Q. And Harry Pilcher?

A. Yes, sir.

Q. And yourself; you knew that you were a member of the Communist Party?

A. Oh, yes.

Q. Didn't you?

A. Yes.

Q. And Fisher?

A. Yes. [1053]

Q. And Hope?

A. Yes, sir.

Q. Well, who was present, then, at that meeting that you thought was not a member of the Communist Party, that you didn't believe to be a member of the Communist Party?

A. Well, would you ask me that question again?
Presiding Inspector: Read the question.

(The question referred to, was read by the reporter.)

The Witness: Well, I thought all of them were.

(Testimony of Maurice J. Cannalonga.)

By Mr. Del Guercio:

Q. You thought all of them were?

A. Yes sir, but I couldn't prove it.

Q. You believed all were members. And what was discussed at this meeting? What was the purpose of this meeting?

A. Well, they were having—that was the time that they were going to—the CIO—the unions were to go into the CIO and break away from the A. F. of L.

Q. Well, what would a man like Morris Rapport have to do with shifting these unions from the A. F. of L. to the CIO?

A. Well, the Party always—the Party lines, always followed industrial type of organization instead of a craft type.

Q. Well, why would Morris Rapport be present at such a meeting to discuss shifting the A. F. of L. Unions to the CIO? Was he a member of any union? [1054]

A. No.

Q. Jackson was not, you have testified.

A. What?

Q. Jackson was not?

A. No.

Q. Al Bristol was not?

A. No.

Q. Well, Mr. Canpalonga, was this a Communist Party meeting to discuss the Communist Party policy of shifting the A. F. of L. Unions into the CIO?

A. Yes, sir.

Q. Did you say "Yes"?

A. Yes.

Q. You are sure of that?

A. Oh, yes.

(Testimony of Maurice J. Cannalunga.)

Q. No question in your mind at all?

A. No.

Q. And you recall now, don't you, that you attended this meeting on a Sunday morning in May 1937 during the 30th annual convention of the Longshoremen's Association?

A. Yes, yes, it was about then.

Presiding Inspector: Do you hear the witness?

The Reporter: Yes, sir.

Presiding Inspector: Very good, but just keep your voice [1055] up as much as you can.

Mr. Gladstein: May I have the last question and answer read, please?

(The question and answer referred to were read by the reporter.)

By Mr. Del Guercio:

Q. And you are sure that Bridges was present?

A. Yes, sir.

Q. No question in your mind about that?

A. No question.

Q. Did Bridges speak at this meeting?

A. Yes, he was talking.

Q. Well, were they any others present than those I have mentioned?

A. Yes, there was quite a few more present.

Q. How many all together, about?

A. Well, oh, there was about—I would say about

25.

Q. About 25? A. Yes, sir.

Q. What did Bridges talk about?

(Testimony of Maurice J. Cannalunga.)

A. Oh, he was talking about the policy of the A. F. of L. and how the A. F. of L. was trying to force themselves on to the longshoremen on the Pacific Coast, force Ryan, and that the CIO, under the leadership of Lewis, was the right organization to be in, it was an industrial type, and that they [1056] would get away from Ryan's domination of the Pacific Coast, words to that effect.

Q. Now, who was he talking to?

A. To the whole bunch of us.

Q. Was he making a speech or was it just a general discussion?

A. General discussion.

Q. No speech-making at that meeting?

A. Oh, no.

Q. Nobody made any speeches, did they?

A. No, nobody made speeches.

Q. Did Morris Rapport talk?

A. Yes.

Q. He got into the discussion?

A. Yes.

Q. Did Harry Jackson?

A. Yes, sir.

Q. Did you?

A. Yes, sir.

Q. Now, didn't you attend another meeting in San Francisco about October 1938 at which Mr. Bridges was present?

A. Yes, sir.

Q. And where was that?

A. Some private home.

Q. Some private home? [1057]

A. Yes, sir.

Q. And who was present at that meeting?

A. Oh, Stack and Schneiderman and quite a few others.

(Testimony of Maurice J. Cannalunga.)

Q. William Schneidermann, is that?

A. Yes, sir.

Q. And who was William Schneiderman?

A. He is—he was the district organizer for the south and here, for California.

Q. For the Communist Party?

A. For the Communist Party, yes.

Q. Was he a union man?

A. I don't know; I don't think so.

Q. Did he belong to any union?

A. No, I don't believe so.

Q. Walter Stack, you say was there?

A. Yes, sir.

Q. Was Bridges there? A. Yes.

Q. And was Sam Telford there?

A. Yes, I think so.

Q. Was Henry Schmidt there?

A. Yes, sir.

Q. Was Dave Saunders there?

A. Yes, sir.

Q. Was Brown there? [1058]

A. I believe so.

Q. And Pyle? A. I believe so.

Q. Now, all these names that I have mentioned, did you know them to be members of the Communist Party? A. Some of them, yes. [1059]

Q. Who didn't you know to be members of the Communist Party of those that I have mentioned?

A. Well, I can't say the fellows were members if I didn't actually see their books.

(Testimony of Maurice J. Cannalonga.)

Q. At the time you attended this meeting did you know that it was a Communist Party meeting?

A. Oh, yes; it was a Fraction meeting.

Q. How did you know that? A. I was told.

Q. By whom? A. Stack.

Q. He told you to attend? A. Yes.

Q. And you were attending then a Communist Party meeting? A. I suppose so.

Q. Well, was there any doubt in your mind?

A. Well, you know the policy of the Party was at times to have leading figures, non-Communist Party members attend some of their Fraction meetings.

Q. Who was the non-Communist there that was attending that meeting?

A. Like I say, fellows I have been told were Communists, but as far as I am concerned how can I tell?

Q. Did you believe that Bridges was attending that meeting as a non-Communist member? [1060]

A. No, I don't think so.

Q. What capacity was he attending that meeting?

A. I assumed he was a Party member; I was assuming all this.

Q. You knew that Sam Telford was a member of the Communist Party? A. Yes.

Q. And how about Henry Schmidt—I believe you testified you didn't know whether he was a member of the Communist Party? A. No.

Q. How about Dave Saunders?

(Testimony of Maurice J. Cannalonga.)

A. Yes, he was a member.

Q. Brown?

A. Well, I couldn't say he was "Yes" or "No." I thought he was. I assumed it.

Q. And Pyle?

A. The same thing with Pyle.

Q. And what was discussed at this meeting?

A. Oh, negotiations of the contract and the sailors were jamming up things.

Q. Negotiations of the contract between whom?

A. The waterfront unions and the steamship operators.

Q. What was Schneiderman doing at such a meeting where they were negotiating for a contract?

A. He was giving his experience. [1061]

Q. Giving his what?

A. Giving the Party line.

Q. Giving the Party line—the Communist Party line? A. Yes.

Q. Who was he giving that to?

A. He discussed the Party line in regard to contracts.

Q. For the benefit of all those that were at that meeting? A. Yes.

Q. For the benefit of this alien here, Bridges?

A. I believe so.

Q. Was there some discussion there concerning the Sailors Union of the Pacific?

A. Yes.

Q. What discussion was there about that?

(Testimony of Maurice J. Cannalonga.)

A. Well, they were breaking away from the Federation and jamming up—they wanted to go on their own in regard to signing a contract with the ship-owners.

Q. Who was talking about the Sailors Union of the Pacific? A. Saunders.

Q. Saunders? A. Yes.

Q. Was he a member of the Sailors Union of the Pacific? A. Yes.

Q. Did Schneiderman participate in that discussion? A. Yes.

Q. Was he a member of the Sailors Union of the Pacific? [1062] A. No.

Q. What did he say about the Sailors Union of the Pacific?

A. Well, he was saying, explaining the harm it would do by breaking up the Federation.

Q. Did he say if the Communist Party wanted that to happen? A. No.

Q. What did he say.

A. Well, you see, in those discussions they never mentioned the Communist Party.

Q. Did Bridges speak at that meeting?

A. I believe he did.

Q. When I say "speak"—he didn't make a speech, did he? A. No.

Q. He discussed, like the other members there discussed, various questions that would come up?

A. Yes.

Q. Did he go in there to ask questions—did Bridges ask any questions of anybody?

(Testimony of Maurice J. Cannalunga.)

Q. No, I don't believe so.

Q. Did he ask for any assistance or help?

A. No, I don't think so.

Q. You don't think so. Do you know if he did?

A. No, offhand I couldn't say for the simple reason that it has been quite a while ago and little details like that [1063] a fellow can't remember.

Q. Now, do you know that Bruce Hannon took a trip to New York as a delegate to the American Youth Congress?

A. Yes.

Q. When was that?

A. That was, I believe, in '37.

Q. In what? A. 1937.

Q. How do you know that he was a delegate to the American Youth Congress?

A. Well, there was a meeting of one of the, I think it was the YCL.

Q. YCL—is that the Young Communist League?

A. Yes.

Q. What was Bruce Hannon's connection with the YCL?

A. Well, he was taking an active interest in it and it was a party assignment.

Mr. Del Guercio: May we have a short recess at this time?

Presiding Inspector: Yes.

(Whereupon a short recess was taken.)

Presiding Inspector: You may resume.

By Mr. Del Guercio:

Q. Now, you testified this morning that you were Editor of the Red Beacon, is that correct?

(Testimony of Maurice J. Cannalonga.)

A. Yes.

Q. Under whose direction were you working while you were [1064] Editor of the Beacon?

A. Communist Party.

Q. And who in particular in the Communist Party.

A. Jackson and Rapport.

Q. Morris Rapport, is that it?

A. Yes.

Q. Now, these statements that you made to the FBI men, I believe you testified you made up two of them on separate dates, is that correct?

A. I think so.

Q. You are sure you didn't make three?

A. It might have been three.

Q. Did you make one in your own handwriting?

A. Yes.

Q. You signed them?

A. Yes.

Q. Now, during the time that you made these statements to the FBI men I believe you testified you weren't threatened?

A. No.

Q. Coerced?

A. No.

Q. Were you induced or were you promised anything?

A. No.

Q. You made them voluntarily?

A. Yes. [1065]

Q. Is there any question about that?

A. No.

Q. Did you make one of those statements on October 9, 1940?

A. About that time.

Q. And one on October 8, 1940?

A. About that time.

(Testimony of Maurice J. Cannalunga.)

Q. And one in your own handwriting on November 5, 1940? A. Yes; about that time.

Q. And did you tell the truth in those statements? A. To the best of my knowledge.

Q. Are you telling the truth now?

A. I believe I am.

Q. You believe you are? Do you know if you are telling the truth or not?

A. Well, to the best of my knowledge; yes, sir.

Q. Now, were you contacted by any officer of the United States during the last hearing, the Landis hearing, in the Bridges case? A. Yes.

Q. By whom?

A. A fellow from the Immigration Service in Seattle—I don't recall his name. Maybe you know it.

Q. Was it Boyd? A. Boyd; yes.

Q. John B. Boyd? [1066] A. Yes.

Q. Where were you contacted?

A. As I was going to the public out-patient station in Seattle.

Q. When was that?

A. That was quite a while ago.

Q. How long ago, about?

A. About a year ago or so.

Q. What did he say to you?

A. He asked my name and—

Q. (Interposing): Before you go into that, was there anybody else present? A. Yes.

Q. Who? A. The Marine doctor.

Q. The Marine doctor?

(Testimony of Maurice J. Cannalunga.)

A. Yes. He got me in the waiting room, reception room.

Q. Was there anybody but Mr. Boyd present?

A. No; he was alone.

Q. And you were alone?

A. No. I had a friend with me.

Q. What was his name?

A. I don't recall at the time; some fellow off of a ship. He was waiting to go to see the Doctor too.

Q. What was said there? [1067]

A. Boyd came in—somebody pointed me out to him—evidently somebody pointed and told him who I was—and he came in the out-patient station and asked if my name was Cannalunga and I said "Yes." It was in regard to the Bridges deportation case.

Q. What did he ask you in regard to the Bridges case?

A. He asked me if I knew Bridges and I said "Yes." And then he asked would I appear against him. I believe that is what it was.

Q. What did you say? A. I said "No."

Q. Did he ask you if you knew that Bridges had been at any Communist Party meetings?

A. Yes; he asked me that.

Q. What did you say?

A. I told him I didn't think so; words to that effect.

Q. Was that the truth?

A. Well, I thought—I don't know.

(Testimony of Maurice J. Cannalonga.)

Q. Well, now, do you know whether it was the fifth or not when he asked you if you knew whether Bridges had ever attended any Communist Party meetings? A. I said "No."

Q. Why did you say "No"?

A. Because Bridges had never been in any out-and-out Communist meeting; what I mean, a regular Communist meeting called by the Communist Party. [1068]

Q. Have you every been in any meeting called outright by the Communist Party? A. Yes.

Q. Which ones? A. Quite a few of them.

Q. Where?

A. In Seattle and up and down the coast.

Q. What else did you tell Boyd?

A. I don't recall.

Q. Did you have more than one conversation with Boyd?

A. Well, he told me to report down to his office.

Q. How long after the first conversation?

A. That same day.

Q. Did you go to his office?

A. Yes. After the Doctor got through looking me over I went down to his office and Johnny Davis was in his office.

Q. Was in whose office?

A. Boyd's office. Davis was the one that told Boyd who I was when I got off the ship.

Then Boyd asked me if I wanted to appear as a witness against Bridges. And I said "No."

(Testimony of Maurice J. Cannalunga.)

Q. Did he ask you why you didn't want to appear as a witness against Bridges?

A. I don't believe he did.

Q. Did you tell him why you didn't want to appear as a witness against Bridges? [1069]

A. I don't quite recall.

Q. Do you know if you gave any reason why you didn't want to appear as a witness against Bridges?

A. I gave him a couple of reasons.

Q. What were those reasons?

A. I thought it was a phony set-up.

Q. You thought it was a phony set-up?

A. Yes.

Q. What do you mean by that?

A. Well, the way Johnny Davis told me in the office there, that I could come down here at Government expense, and so on and so forth, and see the World's Fair, made it sound like, appear as though he was trying to bribe me, or something.

Q. You mean Johnny Davis? A. Yes.

Q. Did Boyd tell you that?

A. No. Then I got sore and I said "The hell"——

Q. Is that the reason why you said you had no information about Bridges? A. Yes.

Q. That wasn't true; was it, when you said you had no information about Bridges?

A. Well, I suppose not.

Q. Is that all that occurred at that time?

A. Well, then, after I got through speaking with

(Testimony of Maurice J. Cannalonga.)

Boyd [1070] I went up and saw Matt Meehan and I made a statement to Matt.

Q. Immediately after you left Boyd?

A. Yes.

Q. You went over to see Mat Meehan?

A. Yes.

Q. Was Matt Meehan a particular friend of yours?

A. I have known him through meetings and so forth.

Q. Was he a particular friend of yours at that time?

A. Yes.

Q. And you went to see him?

A. Yes.

Q. That is, after you left Boyd's office?

A. Yes.

Q. What did you do?

A. I talked to him and told him about Boyd wanting me to go down as a witness, and I turned him down, and so he called in his secretary and asked me to make a statement, and I made a statement and signed it.

Q. Who was his secretary?

A. I believe the name is in that statement.

Q. Was it Grace Corbin?

A. Yes; Grace Corbin.

Q. And did you know Grace Corbin to be a member of the Communist Party?

A. I had seen her at different meetings; yes.

[1071]

Q. You saw her at different meetings?

A. Yes.

(Testimony of Maurice J. Cannalonga.)

Q. You knew she was a member of the Communist Party? A. I assumed it; yes.

Q. You went up to that office and made a statement? A. Yes.

Q. Who asked you to make the statement?

A. Nobody.

Q. Did you go up and say, "I have a statement to make?" A. No; no.

Q. Tell me what happened?

A. Matt asked me to make a statement, after I had told him what Boyd wanted me to do; and he says, "Well, you had better make out a statement. We will call Grace in." So I made out a statement.

Q. Did you make it out, or did Matt Meehan make it out? A. Both of us made it out.

Q. Did you write in out?

A. No; she took shorthand.

Q. Who, Grace Corbin? A. Yes.

Q. Grace Corbin—do you know if she is still living? A. I don't know.

Q. After the statement was made out what was done? A. I signed it and left. [1072]

Q. Who asked you to sign it? A. Matt.

Q. Who? A. Matt Meehan.

Q. Did he say what he was going to do with it?

A. No.

Q. He didn't tell you what he was going to do with it?

A. Yes. He said that they might use it in the trial, and they might not.

(Testimony of Maurice J. Cannalunga.)

Q: What did Matt Meehan have to do with the Bridges trial?

A. He is Secretary of the Longshoremen's Union.

Q. What did Grace Corbin have to do with the Bridges trial? A. She was his secretary.

Q. And he was going to give it to whom?

A. I believe to the defense lawyers.

Q. Is that why you went to Matt Meehan?

A. No. I was sore at Boyd.

Q. You were sore at Boyd for what Johnny Davis had said? A. Yes.

Q. Are you in the habit of being sore at people because of what somebody else said?

A. Well—

Q. You were furnished with a copy of that statement you [1073] made to Matt Meehan?

A. Yes.

Mr. Del Guercio: I believe you have the original of this. (Handing copy of statement to defense counsel.)

By Mr. Del Guercio:

Q. This John Ryan Davis, do you know him to be a member of the Communist Party?

A. Yes.

Q. I will show you here what purports to be a copy of a statement headed—

A. (Interposing): Can I read it?

Q. (Continuing): —“Testimony of Maurice J. Cannalunga, August 18, 1939,” and I will ask

(Testimony of Maurice J. Cannalunga.)

you if that is a copy of the statement you made to Matt Meehan at that time?

A. (Referring to statement): Yes.

Q. It is? A. Yes.

Mr. Del Guercio: I will offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: Received without objection.

(The statement referred to was received in evidence and marked Government's Exhibit No. 207.)

Mr. Del Guercio: I would like to read this, if your Honor please. I want to ask the witness questions based on it.

Presiding Inspector: Very well. I do not know what real point there is to it. [1074]

Mr. Del Guercio: To show the attitude of this witness, if your Honor please, not only at that time but at this time.

Presiding Inspector: He is your witness. If you want to read it, go ahead.

Mr. Del Guercio: I won't read it all, but I want to ask concerning certain statements made in this document.

Presiding Inspector: Of course, you open up the field to a long cross examination on this, but go ahead and read it all if you want to.

By Mr. Del Guercio:

Q. You state, among other things, in this:

"Davis and Boyd took me into Boyd's private

(Testimony of Maurice J. Cannalonga.)

office then and tried to get me to admit that I had seen Harry Bridges at a Communist Party meeting. I told them, 'No,' that all the time I was in the party I had never seen Bridges at a Party meeting."

Is that correct? A. ° Yes.

Q. Isn't it a fact that you had seen Bridges at a Party meeting?

A. Well, it is like I say—you know there are Party meetings and there are Party meetings. Now, an out-and-out Party meeting is where they have a Party plenum, where they make decisions for actions and so forth, that had been handed down—like the plenum they had in regard to the Seventh World [1075] Congress of the Comintern, decisions were made and those were analyzed by the Party members, and then brought back to the units, and through these different decisions they were being worked into the unions; like there was one especially against War and Fascism. That was at the time when the Party made decisions to fight War and Fascism, Nazism, Fascism and Japanese aggression in China.

Q. Did you tell Mr. Boyd, at the time he talked to you, on either of the two occasions that he talked to you, of these meetings that you have testified to today? A. No.

Q. Now, there appears on the back of this statement here in some handwriting this statement:

"When I made this statement I was under the impression that Mr. Boyd, through Johnny Davis,

(Testimony of Maurice J. Cannalonga.)

was trying to buy me off. So I gave a copy of this statement to Matt Meehan on his suggestion after I had told him about Boyd and Davis contacting me as I have related in this statement."

And then it is signed "Maurice J. Cannalonga." Is that in your handwriting? A. It is.

Q. When did you put that on there?

A. I put that on in November—later on I put it on up in the office.

Presiding Inspector: So in one sense, Mr. Cannalonga— [1076] let me see if I understand you, and if I don't you can correct me—in one sense you wouldn't call a unit meeting or a fraction meeting a Party meeting?

The Witness: Yes, you would.

Presiding Inspector: You would?

The Witness: Yes. You see, then, in another sense they have other meetings that they call rank-and-file meetings.

Presiding Inspector: In one sense you would call those Party meetings and in another sense you wouldn't, is that what you mean, or are they also Party meetings?

The Witness: Yes, they are; unit and Fraction meetings.

Presiding Inspector: They are Party meetings?

The Witness: Yes, Party meetings. Then sometimes they will have a Fraction meeting of different unions where it is dominated by Communists, and they will have outsiders.

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: You wouldn't call that a Party meeting?

The Witness: No. That is where the catch is and it is pretty hard to separate them.

Presiding Inspector: Yes.

By Mr. Del Guercio:

Q. This meeting at the Gowman Hotel that you have testified about, didn't you testify that Harry Jackson told you it was to be a meeting of the Communist Party?

A. It was a Party Fraction meeting.

Q. It was?

A. Yes. But then you see a lot of Fraction meetings [1077] they will have militant people in there and we can't say absolutely they are Communists. You don't know, you never see their book, and you just assume that they are Communists at some of those meetings.

Q. But what did Harry Jackson tell you about this particular meeting?

A. He said it was a Party Fraction meeting.

Q. A Party Fraction meeting?

A. Correct.

Q. He told you to attend that meeting as a Party Fraction meeting? A. Yes.

Q. And that is how you attended it?

A. Yes.

Q. How about this other meeting at this home here in San Francisco? A. The same way.

Q. He told you that was to be a Communist Party Fraction meeting? A. Yes.

(Testimony of Maurice J. Cannalonga.)

Q. And not any other kind of a meeting?

A. No. But I don't know what he told the others.

Q. I am not asking you what he told the others. Have you ever been arrested?

A. No—yes, I was once for being “stiff”.

Presiding Inspector: Well, I think— [1078]

The Witness (Interposing): Well, he asked if I had ever been arrested and if I had said “No.” he might refer to that.

Presiding Inspector: Let's not argue about it.

By Mr. Del Guercio:

Q. Have you ever been on relief? A. No.

Q. Your work has always been on the waterfront, hasn't it? A. Yes.

Q. Do you ship in and out?

A. Oh, I have shipped as Foremaster, A.B., oiler, watertender, Junior Engineer, Electrician—about everything there is on a ship.

Q. While you were a member of the Communist Party did you participate in Communist demonstrations? A. Yes.

Q. How many of them?

A. Quite a few of them.

Q. Did you participate in any fights, riots?

A. Yes.

Q. How many of those?

A. Oh, a few of them.

Q. Where did you participate in them?

A. In Seattle.

(Testimony of Maurice J. Cannalunga.)

Q. Anywhere else? [1079] A. No.

Q. Were you ever arrested in connection with any such demonstrations? A. No, sir.

Q. You always got away? A. Yes.

Q. What? A. Yes.

Mr. Del Guercio: You may cross examine. [1080]

Mr. Grossman: Your Honor, we feel that we have a right to examine every statement taken by the FBI or the Government which was used in an effort to impeach their own witness. Now, we have no way of knowing—

Presiding Inspector: I don't see that they have impeached their own witness.

Mr. Grossman: I certainly got that impression.

Presiding Inspector: They offered it for refreshment of recollection, those questions.

Mr. Grossman: I think even Mr. Del Guercio talked about surprise and raised the—

Presiding Inspector: He did, but I couldn't see that he was hostile in any way. I think he was a reluctant witness, but I didn't see hostility.

Mr. Grossman: You say, then, we have no right to examine any of those?

Presiding Inspector: I don't say that, but I wouldn't put it on that basis.

Mr. Grossman: We make the request that the use of these statements to the extent that they were used by the Government justifies our right to examine those statements.

Presiding Inspector: Well, did you show the witness any statements?

(Testimony of Maurice J. Cannalonga.)

Mr. Del Guercio: No, your Honor. [1081]

Presiding Inspector: You read from some. Did you read from any of those?

Mr. Del Guercio: No sir, I did not.

Presiding Inspector: Well, I couldn't quite tell. You held it in your hand. I couldn't quite tell whether you were reading or not.

Mr. Del Guercio: I had several of them. What I was reading from was my own brief.

Presiding Inspector: Well, that would not be interesting. Of course, if you were reading from a statement, then, you should show it to the other side.

Mr. Del Guercio: I realize that, if the Court please, but I was not reading from the statements. I was reading from my own brief.

Mr. Grossman: I have the idea—I may be wrong—the important point is whether the witness is given the impression, by the action of counsel, that counsel is using a verbatim copy of what he said. Now, I think very clearly this witness was given the impression that Mr. Del Guercio, whether he was using a brief in which these were copied or not, was nevertheless given the impression that Mr. Del Guercio was referring to his statement. That being the basis of it, I think we are entitled to it.

Presiding Inspector: I couldn't quite tell myself.

Mr. Grossman: I think that lays the basis nevertheless [1082] for us to examine these.

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: Did you understand you were being asked from the statements that you yourself made?

The Witness: No.

Presiding Inspector: He says he didn't so understand it.

I think you can examine him and see. Proceed.

Mr. Grossman: What was your statement?

Presiding Inspector: I said I think you can go along and we will see about it.

Mr. Grossman: Oh!

Cross Examination

By Mr. Grossman:

Q. Mr. Cannalunga, with reference to these meetings that you have been testifying to your memory is not very clear, is it?

A. Will you repeat that?

Q. Is your memory very clear about the details of these meetings that you have been testifying about?

A. Well, no, it is not very clear, I will—

Q. (Interposing): Do you consider that you have a good, a very good or a bad memory? Can you describe for us what you consider to be the quality of your memory?

A. Well, as far as names and dates I have got a poor memory, but faces, if I see a face once I will always remember [1083] it, so—

Q. Would you say that you would be able to name from memory most of the persons who were

(Testimony of Maurice J. Camalunga.)

at a meeting two or three years before if there were 10 or 12 or 15 or 20 people at that meeting?

A. I couldn't name—I could name some of them, yes, and you know, it is like anything else, you take the fellows that do more talking than others and you have more contacts with, you remember them better, you know, it is only natural, and others that you may see once or twice, then, it is vague.

Q. Would you be able to remember two or three years before the place or the time at which a meeting had taken place?

A. Yes, I can remember the places all right and the approximate time.

Q. You can. And if I asked you about a particular meeting two or three years ago that took place in the City of Seattle do you think you could pretty well remember where that meeting was and when it was?

A. I believe so.

Q. You consider your memory pretty good on that?

A. I think so.

Q. When was the first time that any representative of the FBI spoke to you about Harry Bridges?

A. That was in November. [1084]

Q. Of last year?

A. October; no, I shipped in November.

Q. Of last year?

A. Yes, sir.

Q. And how much time was there between the meeting that you have been talking about in the Gowman Hotel and the time that the FBI spoke to you, for the first time?

A. About three years.

(Testimony of Maurice J. Cannalunga.)

Q. About three years?

A. Two and a half years it would be.

Q. At the time the FBI spoke to you, or one of their men spoke to you for the first time, do you have a clear recollection of that meeting in the Gowman Hotel?

A. A fairly clear recollection, yes.

Q. Now, I would like to know, Mr. Cannalunga, exactly what was the approach that was made with reference to that meeting by the representatives of the FBI? Now, for example, did the representative of the FBI say to you, "Mr. Cannalunga, we know you were at a meeting at the Gowman Hotel," or did he say that in substance?

Mr. Myron: Just a moment. There is no evidence he said either one of those things. Why doesn't he ask him what the FBI said?

Mr. Grossman: This is cross examination.

Presiding Inspector: This is cross examination.

Mr. Myron: That is leading the witness. [1085]

Presiding Inspector: You can do that on cross examination.

Mr. Grossman: I can do that on cross examination.

Presiding Inspector: I will take it.

The Witness: Will you repeat that?

By Mr. Grossman:

Q. Did a representative of the—

Mr. Del Guercio: (Interposing) What was the last remark of counsel, your Honor?

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: Just a moment, I didn't hear it.

Mr. Grossman: I will repeat it. Did you wish to hear it, your Honor?

Presiding Inspector: No, if it is in the record. What was the remark?

(The testimony referred to was read by the reporter.)

Presiding Inspector: You haven't any right to deceive him.

By Mr. Grossman:

Q: Did he say in substance to you that "We know, Mr. Cannalunga, you were at the meeting at the Gowman Hotel?"

A: What does that word "substance" mean?

Q: I mean, I may not be right in the words but have I got the general principles correct, or the general information, or meaning correct?

A: Yes, sir. [1086]

Q: In other words, he claimed to know about the meeting in the Gowman Hotel before you told him anything about it, is that right?

A: Well, I—

Mr. Myron: I object to that, your Honor.

Presiding Inspector: Well, is that so, or isn't it?

Mr. Myron: If he is going to make an offer that is so, that is all right, it is not objectionable, but it is certainly deceiving the witness.

(Testimony of Maurice J. Cannalunga.)

Mr. Grossman: How am I deceiving the witness?

Presiding Inspector: We will ask him; we will allow that.

Did he say that? Did he give you the impression that he knew about the meeting before he asked you what happened there; if you can remember that?

The Witness: Now, let's see. (Pause). Read that question again, will you?

Presiding Inspector: Read counsel's question.

Mr. Grossman: I will ask it again.

The Witness: Yes.

By Mr. Grossman:

Q. Did you get the impression from the representative of the FBI that he knew, or thought he knew something about the meeting at the Gowman Hotel before you mentioned it or talked to him about it? A. Yes, sir.

Q. All right. He gave you the impression also, did [1087] he not, that he knew or thought he knew some of the people that were present at that meeting?

Mr. Myron: I object to that, your Honor, the form of the question.

Mr. Grossman: This is cross examination.

Presiding Inspector: I will allow it.

A. Yes.

By Mr. Grossman:

Q. All right. How many names did he name,

(Testimony of Maurice J. Cannalunga.)

or persons that he claimed were at that meeting at the Gowman Hotel? A. Oh, four or five.

Q. Are you sure that is all? A. Yes, sir.

Q. He named Bridges, didn't he, as one of those?

A. Yes, sir.

Q. In other words, to summarize, before you mentioned the meeting at the Gowman Hotel the first time you were contacted by a representative of the FBI. He said to you, "Cannalunga—" in substance "Cannalunga, you attended a meeting at the Gowman Hotel which was a Communist meeting at which Harry Bridges was present?" Did he do that in substance?

Presiding Inspector: Well, now, that is no question.

Mr. Myron: I object.

Mr. Grossman: I recognize I added an element of being a Communist meeting but I submit I nevertheless have a right [1088] to ask a question which is leading and get an answer to it.

Presiding Inspector: I have ruled with you on that, but I don't think that I quite understand the full purport of that question.

Mr. Grossman: All right, I will ask it again.

By Mr. Grossman:

Q. Is it true, Mr. Cannalunga, that before you gave any information to this FBI man that first contacted you, he told you in substance—I may not have the words right—but in substance—

A. Yes, O.K.

(Testimony of Maurice J. Cannalunga.)

Q. That you, Cannalunga, had attended a meeting at the Gowman Hotel at which Bridges was present?

A. Well, he named—oh, he named a couple of others and then Bridges.

Q. All right, he named Bridges as one of those that he named? A. Yes, sir.

Q. And he also stated to you, did he not, that it was a Communist meeting? A. Yes, sir.

Q. All right. He stated, did he not, that Rap-
port had been present at that meeting?

A. He did.

Q. And he stated did he not, that Bristol had been present at that meeting? [1089]

A. I believe so.

Q. And he stated, did he not, that Jackson had been present at that meeting? A. Yes, sir.

Q. And he stated, did he not, that Nelson had been present at that meeting?

A. No, I don't recall that.

Q. I see. Your answer is that you don't recall whether he mentioned Nelson?

A. I am not quite clear.

Presiding Inspector: Do you understand he is not asking you what happened. He is asking you if the man told you these things?

The Witness: Yes, if he told me; I get the drift all right.

By Mr. Grossman:

Q. As to Nelson, you don't know if he mentioned Nelson's name or not, is that correct?

(Testimony of Maurice J. Cannalunga.)

A. Yes, sir.

Q. Did he state that Hannon had been at that meeting?

A. I—no; he named some of the lesser lights. I am not quite sure.

Q. Fisher? Did he name Fisher?

A. He named Laddie Hope. [1090]

Q. He named Laddie Hope. Now, how about Fisher? A. I think he did.

Q. How about Pilcher? A. Yes, sir.

Q. Did he name Schmidt?

A. I am not sure.

Q. Did he name Meehan?

A. Well, I wouldn't swear to that either.

Q. Did he name Fox? A. Yes, sir.

Q. Did he state to you where he had gotten that information that enabled him to name these names?

A. No.

Q. Did he give you any indication; did he give you any general statement indicating where he had gotten it from? A. No.

Q. Did he state to you that he had talked to someone who was at that meeting that had given him the information? A. No.

Q. Now, Mr. Cannalunga, I am concerned with the way in which he gave you this information. When he gave you this information or stated these facts, what he said about these facts, about this meeting, he stated them in a way that gave you the impression, did he not, that he believed that

(Testimony of Maurice J. Cannalonga.)

to have taken place, the way he described it? In other words, he was not—— [1091]

A. (Interposing) Yes.

Presiding Inspector: The answer is "Yes".

By Mr. Grossman:

Q. He didn't give you the impression that he was just fishing around with no information. He gave you the impression he knew what he was talking about? A. Yes, uh-huh.

Q. Now, how many men were there the first time that talked to you, FBI men?

A. Two of them.

Q. Two. Did both of them participate in the questioning, or only one?

A. No, both of them.

Q. Did one of them seem to better informed than the other? A. Well——

Q. In other words, did one of them take the lead in the questioning or——

A. (Interposing) No; they kind of shifted. One would ask questions for a while and telling me different things that I knew had happened, and another one would do the same thing.

Q. Now, these men gave you the impression, did they not, that they knew a lot about you?

A. Yes, sir.

Q. Did they talk to you about your union activities? [1092] A. Uh-huh.

Q. And they gave the impression that they had some pretty good information about what you had been doing for the last few years?

(Testimony of Maurice J. Cannalonga.)

A. Well, well, I don't know how to answer that one; that is—will you ask me that one again?

Q. Yes. In other words, they gave you the impression that they knew what you had been doing the last few years, your general activities?

A. Yes, sir.

Q. They checked up on you very carefully before they talked to you? A. I believe so.

Q. That is the impression you got anyhow, wasn't it? A. Yes, sir.

Q. How far back did they seem to have gone in checking up on you? Can you think of the earliest date that they seemed to know something about you?

Mr. Myron: All these are objectionable.

A. I don't recall.

Presiding Inspector: Pretty remote, aren't they?

Mr. Del Guercio: We are not objecting to it, of course, but that doesn't mean—

Mr. Grossman: (Interposing) I will connect it up. I don't think I have to explain to counsel the reason for any [1093] particular question.

Presiding Inspector: I don't understand it myself, but you may go on.

By Mr. Grossman:

Q. For example, did they seem to know about your life for the last year, or did they seem to know about five or ten or twenty years of your life?

A. Well, I—

(Testimony of Maurice J. Cannalonga.)

Q. (Interposing) You didn't get any impression on that? A. No.

Q. But they did seem to have checked up on you pretty thoroughly before they—

Mr. Del Guercio: (Interposing) Well, if your Honor please, the witness has just testified—

Presiding Inspector: (Interposing) He has already answered that.

Mr. Grossman: I may lead him on cross examination.

Presiding Inspector: He has answered it just the way you wanted him to answer it.

Mr. Grossman: I was just referring to a comment of counsel.

Presiding Inspector: Go ahead.

By Mr. Grossman:

Q. Now, this information they had about you, was it solely in connection with your trade union activities or did [1094] some of it deal with your personal activities?

A. Well, I couldn't say off-hand.

Q. Did they seem to know, for example, the places where you had lived?

A. Well, I couldn't say that. They didn't—I don't believe they mentioned the exact places that I had lived, no, because, you know, I have been—you know, after all a guy going to sea he don't stay in one place very long, and I have left home and been away ten years at a crack and sometimes only a couple of months, so that is the only way I can answer that one.

(Testimony of Maurice J. Cannalonga.)

Q. Did they seem to know that you were not then a member of the Communist Party.

A. What was that again?

Q. Did they seem to know that you were not then a member of the Communist Party?

A. Yes.

Q. Did they seem to know at what time your connection with the Communist Party was severed?

A. Yes, sir.

Q. Did they seem to know why that—or how—that connection was severed?

A. Yes, sir.

Q. Did they seem to know about your views with respect [1095] to the Communist Party?

A. I don't get that.

Q. Did they seem to know what you thought of the Communist Party?

A. No.

Q. Were they wrong? I mean, did they express any wrong views about what you thought of the Communist Party or did they express none at all?

A. They didn't express any, I don't believe.

Q. Can you think of anything else about which they seemed to be well informed concerning you?

A. Well, I—no, I don't recall. They seemed to have a general idea of what I had been doing, you know, so forth and so on, not right down to small details, but you know, a general idea as though they knew what they were talking about.

Q. They knew, of course, that you had been talking to Boyd before?

A. Yes, sir.

(Testimony of Maurice J. Cannalonga.)

Q. And they knew, of course, what you had told Boyd? A. Yes, sir.

Q. Did they discuss with you your previous conversation with Boyd? A. Yes, sir.

Q. Did that take place—I mean, did they discuss that conversation with Boyd before they went into the dis- [1096] cussion of these meetings?

A. Huh?

Q. What did they discuss with you first, your previous discussions with Boyd, or did they discuss the meetings with you first? Do you understand what I mean? A. No, I don't.

Q. When they first met you did they start talking about what you had said to Boyd?

A. Oh, no, no.

Q. When did they discuss your conversation with Boyd, at the beginning of this interview or in the middle or the end or what?

A. I don't recall when it was. It was while they were interviewing me.

Q. I see. Mr. Cannalonga, have you been shipping rather steadily as a fireman since the time that you were in the Communist Party?

A. Yes, sir.

Q. And exactly, Mr. Cannalonga, what is your attitude toward the Communist Party at the present time?

A. My attitude at the present time?

Q. Yes.

A. Well, I think they are sure wrong in the whole setup on the Coast, for one thing, and some

(Testimony of Maurice J. Cannalunga.)

of the moves they have made, going to bat with Hitler and Japan, I think that was [1097] pretty lousy, and that Finnish adventure was another one.

Q. You feel you disagree pretty strongly with the Communist Party?

A. Well, I don't know what you mean by strong, I disagree with—

Q. (Interposing) There is no doubt in your mind that you disagree with them?

A. Yes, with their policy now.

Q. What are your present views, Mr. Cannalunga, about the policies of Bridges in the unions on the Pacific Coast? Do you agree with him or disagree with him?

A. Well, to be frank, I haven't been following any of that stuff.

Q. Well, the last time you did follow it and formed any opinions, was it in agreement or disagreement with the policies of Harry Bridges in the maritime unions on the Pacific Coast?

A. In agreement.

Q. In agreement? A. Yes, that is it.

Q. In other words, the last time you had any opinion on Bridges it was quite different than your opinion on the Communist Party, is that right?

Mr. Del Guercio: If your Honor please, he didn't testify to that.

Presiding Inspector: I don't see that it is of any use, [1098] comparing the two.

The Witness: Will you repeat that?

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: I suggest you withdraw that question.

Mr. Grossman: All right, I will withdraw it.

By Mr. Grossman:

Q. Do you consider that the Communist Party is a harmful influence among the maritime unions on the Pacific Coast? A. (No response):

Q. Put it this way: Do you believe that the policies of the Communist Party are good or bad for the maritime unions on the Pacific Coast?

A. Bad.

Q. Bad. Now, isn't it true, then, Mr. Cannalunga, that if you think the policies of the Communist Party on the Pacific Coast are bad for the maritime unions, and you think the policies of Bridges are good, you don't think Bridges is carrying out Communist Party policy in the maritime unions on the Pacific Coast?

Mr. Goodwin: A compound question.

By Mr. Grossman:

Q. Is that right, Mr. Cannalunga?

A. Let's get that straight.

Q. All right. You testified that you felt that the position—that the policy of the Communist Party is bad for [1099] the maritime unions on the Pacific Coast. You stated, however, that you think that you agree with—

A. (Interposing) Wait a minute now. Let's get—I said the policy of the Party, yes, but when I was in the Party I thought the policy of the Party was O.K.; don't forget that.

(Testimony of Maurice J. Cannalunga.)

Q. That is right.

A. All right, now, O.K.

Q. All right, I am talking about now. At the present time you feel that the policy of the Communist Party is bad for the maritime unions?

A. Yes, sir.

Q. At the present time you agree, or, at least, the last time you formed any opinion you agreed with the policy of Bridges for the Maritime unions on the Pacific Coast?

A. Well, I haven't seen—

Mr. Del Guercio: Just a minute, before you answer..

First of all it is a compound question. Secondly there is no testimony there as to during what period of time he agreed with Bridges' policy.

Presiding Inspector: It isn't useful unless you define what these policies are.

Mr. Del Guercio: What the policies are.

Presiding Inspector: It won't make any impression. I don't know what the policies you are referring to of Bridges are. [1100]

Mr. Grossman: All right.

By Mr. Grossman:

Q. Mr. Cannalunga, you stated that the last time you formed—

Presiding Inspector: (Interposing) Just a moment. He has stated, of course, generally that he is in agreement with the policies of Mr. Bridges.

Mr. Grossman: Yes.

• (Testimony of Maurice J. Cannalunga.)

Presiding Inspector: And he has also stated as to certain policies, at least, of the Communist Party he is not in sympathy with those.

Mr. Grossman: All right.

Presiding Inspector: Now, do you get—

The Witness: (Interposing) I can give an example.

Mr. Grossman: I will ask for it. Just a moment.

By Mr. Grossman:

Q. Now, Mr. Cannalunga, give me some examples, then, of the policies of the Communist Party at the present time in the maritime unions with which you disagree and which you think are harmful. A. Of the Communist Party?

Q. Yes.

A. Well, you just got through asking me about the policy of Bridges. Now, you say—

Q. (Interposing) We have changed because there is some [1101] objection.

A. You have shifted now?

Q. Yes. Now, I want some examples of the position of the Communist Party in the maritime unions which you think are harmful to the maritime unions on the Pacific Coast.

A. Well, I tell you I haven't been—see, I have been gone from the Coast here since last November, almost six months. We made a trip to Australia and back. And as far as the policy of the unions, you know, it fluctuates, it swings, and it is never the same, so I haven't been ashore yet. I

(Testimony of Maurice J. Cannalunga.)

haven't even had time to go ashore and get a good heat on, so how am I going to find out the policies of the Communist Party? You see? You get the drift now, don't you?

Q. I understand.

A. O.K. as long as you get the drift.

Q. But the last time you were ashore and formed any opinion about the policies of the Communist Party what generally of those policies did you think harmful to the maritime unions on the Pacific Coast?

A. Well, well,—they—let's see. That is a tough one, too.

Q. All right, let me put it this way: The last time you formed an opinion on it that opinion was that the policy Harry Bridges was carrying out in the maritime unions on the Pacific Coast met with your approval? [1102]

Mr. Del Guercio: Does the witness know what that question means?

Mr. Grossman: I will make it a little more simple.

By Mr. Grossman:

Q. The last time you thought—I am not making it today—you said you hadn't thought about it much recently. The last time you had any opinion on it your opinion was, Mr. Cannalunga, that Harry Bridges policies in the maritime unions were correct and had your approval. Is that right?

A. Yes.

Q. Is that right?

A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. And at the same time that you had this opinion on Harry Bridges your opinion was that the Communist Party policies were bad for the unions on the Pacific Coast, is that right?

A. Yes, some of them.

Q. All right. Now, let's return to the—

Mr. Del Guercio: (Interposing) Just a minute, please. I didn't get the answer to that last question.

The Witness: I said, "Yes, some of them."

Mr. Del Guercio: Some of them.

By Mr. Grossman:

Q. Let's return to the first time that the representatives of the FBI spoke to you, Mr. Cannalunga. You referred [1103] to a meeting at the Gowman Hotel and referred to the fact that the FBI men came to the meeting with you with certain information about that meeting.

Now, isn't it true that they had certain information about other meetings that they stated you had attended?

Mr. Myron: I object to that, your Honor.

Presiding Inspector: I am not sure that I caught all of the words in that question.

Mr. Grossman: Will you read it back?

(The question referred to was read by the reporter.)

Mr. Del Guercio: I don't know if that is the question or not, the "FBI men came to the meeting with you." There is no evidence here of anything—

(Testimony of Maurice J. Cannalonga.)

Presiding Inspector: (Interposing) I think the witness can understand that now it is read.

Do you understand that question?

Mr. Grossman: He has answered it, I think, your Honor. He has answered the question.

The Witness: You said the meetings they spoke of?

By Mr. Grossman:

Q. Yes; they knew about other meetings besides the Gowman? A. Yes, sir.

Presiding Inspector: They seemed to know about other meetings besides the Gowman? [1104]

The Witness: Yes, sure.

Q. Now, you have been testifying about a meeting in San Francisco that you state Schneiderman was present at that you attended. The FBI knew about this meeting also, didn't they, or at least they seemed to before you told them anything about it?

A. I didn't get that.

Presiding Inspector: Did you know that?

The Witness: What is the question again?

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as above recorded.)

A. That is a pretty tough thing to answer.

Presiding Inspector: Let me simplify it for you. The question is this: If these men seemed to know about the meeting in San Francisco before you told them anything about it?

A. That was the impression I got.

(Testimony of Maurice J. Cannalunga.)

By Mr. Grossman:

Q. Wasn't it true, Mr. Cannalunga, that they were pretty positive about this meeting in San Francisco too; in other words, they described the meeting to you in such a way as to give the impression they were certain that it had taken place?

A. I don't quite remember. You know, damn it all, there was a lot of stuff happened, and it was so long ago, and you try to think about it, and you only make a donkey out of yourself trying to answer some of these questions. [105]

Q. I recognize the difficulty. But this is true, isn't it, Mr. Cannalunga: That the general impression that these representatives of the FBI gave you was that when they talked about a meeting they gave you the impression that they were positive a meeting had taken place, and that they were positive that certain people had been there—wasn't that the general impression you got out of this interview?

A. Yes; yes.

Q. In other words, generally speaking, this is what happened, isn't it, at this first interview—this is only true in substance, and I won't have the words or the order correct: But in substance, they said to you, "Cannalunga, you were at this Communist meeting, and you were at that Communist meeting, and certain people were there," naming them, "and you were at this meeting, and certain other people were there," naming them, and they gave you the dates, or the approximate dates of the meetings and they

(Testimony of Maurice J. Cannalonga.)

gave you the places or the approximate places of these meetings, isn't that correct and generally speaking?

Mr. Del Guercio: I object to the question in that form.

Presiding Inspector: I think it is a rather complicated question.

Mr. Grossman: I think he understands it.

By Mr. Grossman:

Q. Wasn't that generally true? [1106]

Presiding Inspector: Was that generally true?

A. Yes.

Presiding Inspector: They gave you the impression that they knew about these meetings that you have testified to here?

The Witness: That is the impression I got.

By Mr. Grossman:

Q. And when I say they knew about it, I mean they had definite information as to where and when it was, as well as who were there, isn't that right—they seemed to know, or claimed to know where the meetings were, approximately where, and approximately when, isn't that right?

A. Yes; something on that order.

Presiding Inspector: Are you trying to get into the record a hearsay statement as proof of it?

Mr. Grossman: No.

Presiding Inspector: I suppose it has some such possible implication.

Mr. Grossman: I don't think so.

(Testimony of Maurice J. Cannalunga.)

We will take a recess until 2:00 o'clock.

(Whereupon, at 12:30 P. M., a recess was taken until 2:00 P. M. of the same day.) [1107]

~~After Recess 2:00 o'Clock P. M.~~

Presiding Inspector: You may resume.

MAURICE J. CANNALONGA

called as a witness on behalf of the Government, having been previously duly sworn, testified further as follows:

~~Cross Examination (Resumed)~~

By Mr. Grossman:

Q. Mr. Cannalunga, where were you born?

A. Massachusetts.

Q. How long have you lived in Seattle, or Portland, or thereabouts?

A. Since, oh, '29-'30.

Q. How long have you been working as a fireman, or similar positions on ships?

A. Well, ever since I was a punk kid.

Q. Referring to this Los Angeles meeting that you talked about, Mr. Cannalunga—

A. (Interposing) What meeting?

Q. The San Francisco meeting that we talked about—you stated that the FBI agents at the first meeting with you had seemed to know, or stated, at least, as if they did know, certain things about this meeting before you told them anything about it.

(Testimony of Maurice J. Cannalonga.)

Wasn't one of those things they told you about the meeting the fact that Bridges was there, or supposed to have been [1108] there?

A. I don't quite recall.

Q. Well, they told you that meeting—before you said anything—they told you that meeting was a Communist meeting, didn't they, the San Francisco meeting? A. I believe so.

Q. Now, during this time, that is, during this first meeting you had with the FBI men, didn't they give you the impression, or try to give you the impression that these facts, or supposed facts that they gave you, were actual facts and they could prove them and force you to admit them whether you wanted to or not?

A. Will you say that again?

Q. During this meeting didn't the FBI men say to you, generally, "These are the facts and we can force you to admit them because we can prove them by someone else?"

Mr. Del Guercio: Just a minute, if your Honor please. I object to the form of the question—"Didn't they generally tell you these facts."

Presiding Inspector: That means in substance. I take it that means in substance. With that correction I will allow the question.

A. In other words, you mean that they knew about this meeting, and so forth, and that they were in a position to prove it, is that what you mean?

[1109]

(Testimony of Maurice J. Cannalunga.)

By Mr. Grossman:

Q. Didn't they give you that impression?

A. Well, let me see—well, I couldn't say "yes" and I couldn't say "no" to that one. You see, they knew about the meeting, and so forth, you see, and I got the impression that they,—my impressions were that they knew all about it and that I was there.

Q. Didn't they give you the impression that regardless of what you said about this meeting they were prepared to prove that this, or those meetings took place as they stated they did?

Presiding Inspector: Of course, that will open the door to what was said.

Mr. Gladstein: I beg your pardon?

Presiding Inspector: That opens the door to another long part, a long correcting examination, because it is a very doubtful matter.

Mr. Grossman: I am assuming that it is open already, your Honor.

Presiding Inspector: Well, I know, but I mean to say practically open.

Mr. Grossman: Well, I can't help it.

Presiding Inspector: All right, go ahead. Well, I will ask a question, then.

Did they say anything about what they could or couldn't prove, in those words?

The Witness: No [1110]

Presiding Inspector: They didn't talk about proof?

The Witness: No.

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: But you got certain impressions from them?

The Witness: Yes, my impressions were that they knew what the score was and able to—

Presiding Inspector: All right. Now, go ahead.

By Mr. Grossman:

Q. They gave you the impression, Mr. Cannalunga, that regardless of what you did or said they could prove the correctness of the facts that they gave you about these meetings or the alleged facts?

A. Yes.

Presiding Inspector: Although the question of proof was, or was it talked about?

The Witness: No, no question of proof.

Presiding Inspector: But you got that impression?

The Witness: Yes, that is the impression I got. You know, you sit around talking, guys talking about things that happen.

Presiding Inspector: That is what I understand from the answers to your question.

By Mr. Grossman:

Q. Now, during this first conference, Mr. Cannalunga, did these FBI men talk to you about your cooperation with the [1111] Government or with the FBI? Did they discuss that general question at all?

A. I don't get that. You mean—

Q. Put it this way, then: Didn't they say to you, "Mr. Cannalunga, you are dealing with the United States Government. You had better cooperate because we are the United States Government?"

(Testimony of Maurice J. Cannalunga.)

A. No, not words in that effect.

Q. All right. What generally were the words that they used?

A. Well, that they were—that it was a Government agency and that they already knew about all these meetings and so forth and you know, that is the impression that I got.

Q. Did you get the impression that being a Government agency they had certain power over you?

A. Well, nobody has got any power over me, for that matter. If I want to do anything I will do it and suffer the consequences.

Q. Well, did you get the impression that they were trying to let you know they had power over you?

A. Well, I don't get your drift.

Q. All right, we will ask it a little differently.

How did they bring up this question of their representing the Government? How did it come into the conversation? Did they raise it or did you raise it? Who brought it up first. [1112]

A. Oh, let's see now. I believe I did at first, and they said that they were the FBI Government agency and that their record was 100 per cent in regards to grabbing criminals and so forth.

Q. They told you that the FBI had a 100 per cent record for convictions, is that what they told you?

Mr. Del Guercio: Well, now, just a minute, if your Honor please. I object to that line of questioning and the manner in which counsel is asking it.

Is the FBI on trial here, or this Alien here on trial?

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: Neither of them are on trial, as I understand it.

Mr. Del Guercio: Well, what are we trying to discover here?

Presiding Inspector: We are having an investigation as to whether the Alien is subject to deportation under the statutes of the United States.

Mr. Del Guercio: Well, that is what I thought.

Presiding Inspector: That is what we are here for.

Go on, Mr. Grossman.

Mr. Grossman: May we have an answer to the question, your Honor?

Presiding Inspector: Read the question. I think it is repetition but I am not sure.

(The question referred to was read by the reporter.) [1113]

The Witness: Well, words to that effect, and I got some more on that question.

Presiding Inspector: The witness wants to answer further then, Mr. Grossman.

Mr. Grossman: All right, I have no objection.

The Witness: Will you read that part again, back, please?

The Reporter: Your answer?

The Witness: Yes.

(The last question and answer were read by the reporter as above recorded.)

The Witness: (Continuing) And that they

(Testimony of Maurice J. Cannalunga.)

didn't need stool pigeons and criminals to convict anybody.

By Mr. Grossman:

Q. Did they make any statement as to the attitude of the FBI, or the policy of the FBI, or the Government toward Communists now or in the future?

A. No.

Q. Did they make any statements with reference to your former Communist Party membership, as to whether or not that would expose you to any punishment, present or future? A. No.

Q. Did they make any statement at all as to how the Government, or the FBI, was going to deal with present or past members of the Communist Party?

A. No. [1114]

Q. How many different meetings or conferences did you have with representatives of the FBI?

A. Well, three in Seattle and one in Frisco—four.

Q. Where was the first one?

A. Seattle.

Q. Where in Seattle?

A. Up in their office.

Q. And there were present just two men at that first meeting, is that right? A. Yes.

Q. Where was the second one held?

A. The same place.

Q. Was anyone different present at the second meeting? A. No.

Q. Where was the third one held?

A. Same place.

(Testimony of Maurice J. Cannalunga.)

Q. Was anyone different present at that meeting?

A. Yes.

Q. Who different was present?

A. Another fellow.

Q. Do you know his name?

A. I don't recall his name, no.

Maybe he (indicating Mr. Del Guercio) can give it to you over there.

Presiding Inspector: Is he in the court room?

[1115]

The Witness: No.

By Mr. Grossman:

Q. Do you see the other gentleman in the court room?

A. No; he is not here.

Mr. Del Guercio: I believe he was looking at me.

Presiding Inspector: No. He said maybe you could tell who it was.

Mr. Del Guercio: Did you say I was present?

The Witness: I said maybe you know his name. I don't know it.

By Mr. Grossman:

Q. Mr. Cannalunga, I have been asking you a series of questions on this cross examination with respect to things that the FBI agents said about these meetings and in general I was directing my questions to the first meeting only. Would your answers be any different if I asked you these same questions as to the second, third and fourth meetings? In other words, to refresh your memory, I asked you ques-

(Testimony of Maurice J. Cannalunga.)

tions about what the FBI men had said about the Government and its policy and dealing with Communists and ex-Communists, and so on. Did they say anything different along those lines in the second, third or fourth meetings than they said in the first meeting?

Presiding Inspector: Just a minute. Do not answer yet.

Mr. Del Guercio: First, I want to object to the question. I do not think it is a question at all. It is something counsel [1116] is relating.

Presiding Inspector: I think perhaps it will expedite the hearing. You won't have to go over each meeting then.

By Mr. Grossman:

Q: You understood the question, didn't you?

A: No. There has been so much interruption that I don't understand.

Presiding Inspector: The question, in general, is as to the matters that you have testified to, would there be anything else which you would add as to the other meetings, or would substantially the same answers be given if you were asked the same questions with reference to the other meetings?

By Mr. Grossman:

Q: Do you think of anything substantial that would differentiate your answers so you would have to answer my questions differently? A: No.

Q: That is, with reference to the second, third and fourth meetings? A: No.

(Testimony of Maurice J. Cannalonga.)

Q. Do you have any close relatives who are employed by the Government. A. No.

Q. You have described certain meetings with representatives of the FBI. Have you had any other meetings whatsoever [1117] with any representatives of the Government, or of any police department, or of any state or city government, concerning what you know about Harry Bridges? A. No.

Q. These four meetings or conferences, represent every time you discussed with any representative of the Government what you know about Harry Bridges? A. Correct.

Mr. Grossman: No more questions.

Presiding Inspector: Mr. Del Guercio, the witness is yours.

Redirect Examination

By Mr. Del Guercio:

Q. Did you understand all of the questions that counsel here has asked you?

A. I think I have a fair drift of them.

Q. Did you understand the words that he used?

A. Some of them, no.

Q. Now, to go back to the first contact you had with the FBI men, I believe that took place about October 8, 1940, there in Seattle, is that right?

A. Yes.

Q. Where were you at the time that the officers contacted you?

A. Down at the Immigration Building. [1118]

Q. Immigration Building? A. Yes, sir.

Q. And what time of day was that?

(Testimony of Maurice J. Cannalonga.)

A. What time?

Q. Yes. A. That was in the morning.

Q. In the morning. You went up there voluntarily?

A. No. I was told to go up there.

Q. Did you go up there with anyone?

A. No. I had a fellow drive me down.

Q. Who drove you?

A. A friend of mine.

Q. Did this friend of yours go up to the offices with you? A. No.

Q. What was the first thing that was said to you by the officers?

A. Well, they asked my name and—

Q. (Interposing) Did you give them your name? A. Oh, yes.

Q. What else did they ask you?

A. How long I had been going to sea; sort of a personal history.

Q. That was the very first thing they asked you?

A. Yes. [1119]

Q. They didn't ask you anything else?

A. They asked me if I had been a member of the Communist Party.

Q. Did you tell them? A. Yes.

Q. Did they tell you that they knew you had been a member of the Communist Party before you answered that? A. I believe they did.

Q. What did they say?

A. They said that—I don't know, quite recall all of it.

(Testimony of Maurice J. Cannalonga.)

Q. Well, you have told the defense counsel here that these officers knew that you were a member of the Communist Party, is that right?

A. That I had been a member of the Communist Party; yes.

Q. That you had been a member?

A. Yes.

Q. Did they tell you that?

A. Yes, they did.

Q. Right away?

A. No, not right away; after a while.

Q. How long afterwards?

A. Well, I couldn't say how long. It was, you know, that same morning.

Q. And when did they ask you about this Gowman Hotel meeting—how long had they been talking to you before they [1120] mentioned anything about the Gowman Hotel meeting?

A. I don't remember whether it was the first day or the second day.

Q. You don't know whether it was the first or second day?

A. No, sir.

Q. If I gave you a little time could you recollect as to when they asked you about it, whether it was the first day or the second day?

A. I believe it was the second day.

Q. Then you misunderstood counsel's question when you said that the officers told you that they knew, at the first meeting that you had with them, that you had been at the Gowman Hotel meeting?

A. Yes; oh, yes.

(Testimony of Maurice J. Cannalonga.)

Q. Did you misunderstand them?

A. Yes.

Q. You didn't mean to imply that, did you?

A. No.

Q. The first day that the officers talked to you did they mention anything about the Gowman Hotel meeting?

A. No, I don't believe they did.

Q. Not a word?

A. I don't believe so.

Q. You are sure about that? [1121]

A. Quite.

Q. Isn't it a fact, Mr. Cannalonga, that—

Mr. Grossman: (Interposing) May I make an objection? It seems this is still counsel's witness and I think he is cross examining his own witness with this kind of questioning.

Mr. Del Guercio: You opened it up.

Presiding Inspector: I think that is so, but I will allow him to suggest these things to refresh his recollection.

Mr. Grossman: The form of the question is leading on cross examination form.

Presiding Inspector: He may do that to some extent after he has exhausted his recollection.

By Mr. Del Guercio:

Q. Isn't it a fact that the FBI men didn't know anything about the Gowman Hotel meeting until you had told them about it?

A. No.

Q. You are sure about that?

A. I am not sure about that.

Q. You are not sure?

A. No, sir.

Q. Isn't it a fact also that the FBI men did

(Testimony of Maurice J. Cannalunga.)

not know anything about this San Francisco meeting until you had told them about it?

A. About the Frisco meeting?

Q. Yes. [1122]

A. No; I believe they mentioned it.

Q. Did the FBI men ask you if you had been in any Communist Party meetings with Mr. Bridges in Seattle?

A. Yes.

Q. What was your answer to that?

A. "Yes."

Q. That you had been?

A. Yes.

Q. The statements that you made to these FBI men, I believe you testified on direct here that you had read them before you signed them?

A. Yes.

Q. You read them?

A. Yes.

Q. And did you understand their contents?

A. I believe I did.

Q. You signed them?

A. Yes, I believe I did.

Q. You signed a statement on the first day that you saw the FBI man?

A. Yes.

Q. Did you make any corrections before you signed the statement?

A. Yes. [1123]

Q. I will show you what purports to be a signed statement dated October 8, 1940, at Seattle, Washington, signed "Maurice J. Cannalunga" in the presence of John L. Madala and Abraham Dickstein, and I will ask you to read it.

A. (Examining document) Read it? Well, that is sure—

MICRO CARD

TRADE

MARK



22

44

1974²



63



(Testimony of Maurice J. Cannalonga.)

Q. (Interposing) Well, I will—

A. (Interposing) Yes, that is it.

Q. Is this the statement that you signed?

A. Yes, that is it.

Q. Is that your signature? A. Yes.

Mr. Del Guercio: Do you suppose there would be any objection if I read it for him?

Presiding Inspector: You better offer it, then.

Mr. Del Guercio: I will offer it in evidence as Government's Exhibit next in order.

Presiding Inspector: Received without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 208.)

Presiding Inspector: You may read it after the reporter has marked it.

Mr. Del Guercio: (Reading). "October 8, 1940. Seattle, Washington.

"I, Maurice Joseph Cannalonga do hereby make the follow- [1124] ing signed statement to A. Dickstein and John L. Madala who have identified themselves to me as special agents of the Federal Bureau of Investigation, United States Department of Justice. No threats or promises have been made to me and I am making this statement entirely voluntary and of my own free will.

"I was born on May 3, 1910 at Webster, Massachusetts. I am single. At present I reside at 3003 East 115th Street, Seattle, Washington.

(Testimony of Maurice J. Cannalongo.)

"I have only been arrested one time in my life and that was in 1929 while at San Diego, California."

The Witness: San Pedro.

Mr. Del Guercio: At what?

The Witness: San Pedro.

Mr. Del Guercio: San Pedro, California, I beg your pardon.

"I was arrested by the Police Department there for drunkenness and was charged with vagrancy. I was sentenced to serve thirty days in jail.

"I shipped out to sea for the first time in 1923 and have been a seaman practically ever since that time. During 1925 and 1926 for a period of approximately one and one-half years I worked in the garage of the Acme Transportation Company in Webster, Massachusetts." And that has been corrected there "and Corbi Boat and Shoe Factory."

"Thereafter, for a period of almost a year during 1927 [1125] I worked as a seaman for the United States Coast Guard at New London, Connecticut. In addition to these two jobs I worked as a seaman for various steamship companies both on the East and West Coast.

"The only time I ever appeared as a witness in any civil or criminal litigation was in 1937 at Seattle, Washington. This was either in the Superior Court or Federal Court, I do not remember which. I testified as an expert witness for the plaintiff in the case of Golden versus McCormick.

(Testimony of Maurice J. Cannalonga.)

Steamship Company, wherein Seaman Golden sued the McCormick Steamship Company for damages of a personal injury sustained by him while he worked on one of that company's ships. I have been a member of the Pacific Coast Marine Firemen, Oilers, Watertenders and Wiper's Association, an independent union, since June 4, 1934. I am still a member in good standing of that Union and at no time did I ever engage in 'scabbing' nor was I ever affiliated with any other craft or industrial union.

"I have made my home on the West Coast ever since 1929 spending most of this time in Seattle, Washington. For a while I lived and worked out of San Pedro, California, Portland, Oregon, and San Francisco, California. In 1932 I was cited for bravery for my work in connection with the rescue of several people who were ship-wrecked near the Anktipmack Islands in the Pacific Ocean." [1126]

Is that right?

The Witness: Anktipmack.

Mr. Del Guercio: (Reading) "As a citation for this rescue I received a Congressional Medal, a medal from Lloyds of London, a medal from the New York Beneficiary Life Saving Association and a silver plaque from the American Mail Lines. John Ryan Davis, another seaman was a member of the same crew that made this rescue and he likewise received the tokens above mentioned.

(Testimony of Maurice J. Cannalonga.)

"I joined the Communist Party of the United States of America in Seattle, Washington in the middle of 1936. Although I was willing to be enrolled under my correct name the Party, nevertheless, had me enroll under the name of M. J. Cann. Walter J. Stack was the person who approached and interested me in joining the Party and he was the one who signed my application. I recall that this application was signed in one of the restaurants along the waterfront. I still have my membership book which will evidence my membership in the Party. One of Stack's main talking points in getting me to join the Communist Party was that Harry Bridges was also a member of the Party. I remained in the Party until the middle of 1937 when I quit because I could see that the Communist Party was detrimental to honest trade union movements and that the Party was using the labor unions to further their aims. I also quit because I disagreed with many of their tactics and their attitude. [1127]

"I first met Harry Bridges at San Francisco, California in 1934 during the 1934 general strike. At that time I was a representative of the Marine Firemans Union on the negotiating committee. Harry Bridges was likewise a member of this negotiating committee, he representing the Longshoreman group. This negotiating committee met several times with the Federal Conciliatory Board at San Francisco which Board was headed by Mr. McGrady and Senator Wagner.

(Testimony of Maurice J. Cannalunga.)

"I might state that during 1934 and 1935 before I became a member of the Communist Party, it was common knowledge along the waterfront that Harry Bridges was a member of the Communist Party, however, I did not come to know for a fact that he was a member until after I joined the Party in 1936, after which I sat in on several top-fraction Communist meetings with him.

Shortly after I became a member of the Communist Party at Seattle, Washington, and principally through the efforts of Walter J. Stack because I was well versed in labor problems and carried a lot of weight with the rank and file in the Marine Firemens Union, I was elected by the Party as the waterfront organizer of the Communist Party in Seattle, Washington. This election, which was cut and dried took place at a waterfront section plenum which was held in the O.G.T.U. Hall in Seattle about two months after I became a member. [1128] Some of the Party members whom I now recall attending this plenum were:

"John Ryan Davis

"Morris Rapport

"Harry Jackson

"Whitey Baxter

"Reva Baxter

"Phil Poth

"Ernie Fox

"Eugene Dennett

"(And many others)

"At that time the Party program was to build

(Testimony of Maurice J. Cannalonga.)

up labor unions and control them which was the dictate of the Seventh International Congress of the Communist Party. The Party also at that time was making a drive within the organization to get the leaders of the various trade unions into the Party, the Party feeling this action would require numerical rank and file strength which is needed to carry on the class revolution which is the Party's main objective in this country.

"As the waterfront organizer of the Party I was supposed to work along with Morris Rapport and Harry Jackson in my organizational work. After I became organizer the Party established me in a private office in the Eitel Building in Seattle and gave me a Secretary to assist me in my work. I do not recall the name of this Secretary but she was a young girl who at the time had an official position in the Camp Fire Girls."

There is a notation here "This is Elizabeth Beggs."

"I understand that she later quit this association or [1129] was expelled from it. The Party sometime later moved my office to the Market Building located at 1st Avenue and Pike Street on the second floor and we moved to this office at the same time that the Young Communists League moved its offices there. During the time I was the waterfront organizer of the Communist Party I met with Morris Rapport or Harry Jackson almost every day either at the Communist Party headquarters offices in Seattle or in my office.

(Testimony of Maurice J. Cannalonga.)

"I did not receive any salary from the Communist Party while I was engaged in waterfront organizational work but did receive from them money for my meals. This money came out of the waterfront section funds of the Party. These funds were collected from the Secretaries of the various waterfront units of the Party and they consisted of dues, contributions and other forms of revenue. After my secretary and I would take out money which we had to use in connection with the work out of my office, the remainder of this money was given to Miss Harriet Ames who was the Secretary of Morris Rappoport, he being the District Secretary of the Communist Party for District No. 12.

"At the time I became waterfront organizer of the Communist Party I was given a list of the Party members of the Waterfront Section which list included both the members true and Party names. Because of this I can competently say that the following persons were members of the Communist Party [1130] connected with the Waterfront Section in Seattle at that time; Phil Poth, Ernie Fox, John Ryan Davis, Bruce Hannon, Burt Nelson, Walter Stack.

"During the time I was a member of the Communist Party I attended either four or five top fraction and Communist meetings at which Harry Bridges was also present. All of these meetings took place right around and during the 1936-7 Maritime Strike on the West Coast. The first top fraction meeting which I definitely recall that I at-

(Testimony of Maurice J. Cannalunga.)

tended at which Harry Bridges was also present took place shortly prior to the beginning of the 1936-7 strike. This meeting took place in a private home in San Francisco, California. I was taken to this place by Walter Stack in an automobile and inasmuch as I only visited this place once I do not have any information as to where it is located or whose home it was. Other Party members that were present at this top fraction meeting were the following: William Schneidermann, California District Organizer of the C.P.A.; Harry Bridges, representing the I.L.A.; Walter Stack, representing the Firemens Union; Henry Schmidt, representing the I.L.A.; Eugene Dietrick, representing the I.L.A.; Sam Telford, representing the Sailor's Union; David Saunders, representing the Sailor's Union; and Brown, representing the A.R.T.A. and Pyle of A.R.T.A." added.

"In addition to the above mentioned Party members there were several others whose identity I do not now recall. The purpose [1131] of this top fraction meeting was to discuss the Party's policy in connection with the activities along the waterfront that was to bring about the 1936-7 strike. I recall that the Sailor's Union at that time wanted to remove itself from the Maritime Federation of the Pacific and wanted to negotiate for themselves. The Party did not want this and they thought it would be a better policy to negotiate as a group rather than as individual unions. The purpose of this meeting was to attempt to bring the Sailor's

(Testimony of Maurice J. Cannalunga.)

Union into the fold and cooperate. I recall that Harry Bridges spoke at this top fraction meeting principally on union matters and policy which were identical with the Party's policy at that time.

"Just prior to the 1936-7 general strike the Party sent me to San Francisco for the purpose of building myself up among the rank and file as the Party wanted me to run for Business Agent of the Marine Firemens Union in Portland, Oregon. This was part of the move to gain control of the various Maritime Unions along the West Coast. I subsequently did run for Business Agent of the Portland Branch of the Marine Firemens Union but lost out.

"When the 1936-7 strike was started I was sent to Portland, Oregon to carry on the waterfront strike activities at that place. Walter Stack was sent to San Francisco to take my place on negotiation committee. I recall that after the 1936-7 strike, while in Portland, Oregon, Morris Rapport, drove Bruce Hannon, Ernie Fox, Ed Fisher of the Sailor's Union and Burt [1132] Nelson to San Francisco, California, where we attended a meeting in some private home. I recall that we drove all night on this trip. This meeting was attended by all of the top fraction leaders of the Communist Party on the West Coast. Other Communists who were present at this meeting that I now recall were: Sam Telford, Dave Saunders, Walter Stack, Henry Schmidt and William Schneidermann. I do not know for certain now whether

(Testimony of Maurice J. Cannalunga.)

Harry Bridges was also in attendance at this Communist meeting. My recollection, however, is that he was. There were, of course, many other members of the Communist Party present at this gathering. I recall that Morris Rapport made a report on the gains of the Party in the way of strength and prestige.

"The 1936 strike ended around the latter part of February, 1937. I was in Portland during all of this strike and lived in a small hotel which is situated over the union hall. This hotel was the strike headquarters of the Marine Firemens Union.

"Another top fraction meeting which I recall I attended and at which Harry Bridges was also present took place sometime during the month of March, 1937, in the private dining room of the Gowman Hotel in Seattle, Washington. Present at this meeting besides Harry Bridges and myself were the following known Communists: Morris Rapport, Al Bristol, Harry Jackson, Eugene Dietrick, Henry Schmidt, Matt Meehan, [1133] Bruce Hannon, Burt Nelson, Ernie Fox, Harry Pilcher, Ed Fisher and Laddie Hope.

"In addition to the above party members there were many others who were likewise present and whose names I do not now recall. The purpose of this meeting was to discuss the coastwise policy of shifting from the A. F. of L. to the C. I. O. The Party decided on this move because it is their belief that militant unions which they advocate, are

(Testimony of Maurice J. Cannalunga.)

organized more on an industrial basis instead of a craft basis.

"I recall that Harry Bridges made quite a talk at this top fraction meeting and strongly urged all of the Maritime Unions to break away from the A. F. of L. and affiliate themselves with the C. I. O. It was also discussed at this meeting the ways and means of accomplishing this shift which was to be by propaganda in that direction.

"In addition to those top fraction meetings which I have discussed above I also attended one or two other such meetings with Harry Bridges. One of these I recall took place in a private home in Seattle at which only six members were present and one or two in San Francisco. I do not now recall the details or circumstances of these meetings.

"During the time I was a member of the Communist Party I attended one of their schools which was designed to teach its members the Party's line to every day problems of the [1134] unions. Whitey Baxter was the principal teacher at this school which lasted three weeks. I recall that Baxter expounded the doctrines of Stalin, Karl Marx and Engels, in connection with the union problems. The school was held in the O.G.T.U. Hall in Seattle. From what I learned in the school I can competently state that the activities and policy employed by Harry Bridges and other leaders of the various Maritime Unions along the Pacific Coast were in conformity with the Party's line in this regard. I have had several private conversations with Harry

(Testimony of Maurice J. Cannalonga.)

Bridges regarding policies in connection with union affairs and from these conversations I can state that Bridges' ideas and activities were in the direction of the Party's program as to these same things.

"At the top fraction meeting at the Gowman Hotel in Seattle I recalled there was quite an argument between Harry Bridges and Morris Rapport in connection with the discussion of the Maritime Unions transferring from the A. F. of L. to the C. I. O. At one point Harry Bridges told Morris Rapport that he was 'crazy'.

"I know for a fact that Bruce Hannon is or was a member of the Communist Party during 1936 and 1937 because of the fact that I saw him pay dues to his unit secretary who was Burt Nelson's wife. I also attended unit meetings with him, some of which were held at his home in the Magnolia Bluff section of Seattle. [1135]

"I have read the foregoing statement which consists of six typewritten pages and it is true to the best of my knowledge and recollection." [1136]

Mr. Grossman: At this time I wonder if we could be notified what effect the introduction of this statement has? Obviously, it is not evidence of the things that it purports to say. At the same time, I gather from the introduction of it that it is not used as impeachment of this witness.

We did not object to it because we don't object to it going in, but we still would like to know what, if any, effect, so far as evidentiary value is concerned, can be given to it.

1864

Harry Bridges vs.

(Testimony of Maurice J. Cannalonga.)

Presiding Inspector: Do you move to strike it out?

Mr. Grossman: We don't want it stricken out, but we would still like to know what effect its introduction has.

Presiding Inspector: We will give it whatever effect it seems logical to have. We cannot tell yet what effect it will have.

You did not object to it, and you didn't ask to confine it in any way, and you don't now.

Mr. Grossman: We don't want to restrict counsel, when we have no objection to it going in, but we would like to know if it is to be considered as evidence of something, and what it is, because we may have an answer to whatever it may be. We cannot conceive, your Honor, of what it could be evidence of; certainly not of the facts, because it is clearly hearsay and there is no basis for the introduction of it for impeachment purposes, because I don't think there is a basis laid for that and I don't think it could be used for that. [1137] There may be some other basis for it, which we cannot see, and that is why I am asking the question.

Presiding Inspector: We will take it and consider it on any logical basis. I don't know what that is now. I have merely heard it read rapidly. I haven't even had the advantage of reading it as counsel has.

Go ahead.

(Testimony of Maurice J. Cannalunga.)

By Mr. Del Guercio:

Q. You have heard me read this statement. Is that a correct statement that you made to the FBI agents at that time?

A. Well, when I made the statement, you see, they made notes and came in with it typewritten later on, and then I signed it. But that wasn't typed as I—

Q. (Interposing): I didn't say it was typed. But is that a correct statement of what you told them?

A. Well, in a sense, yes; in another sense, no.

Q. In what sense is it and in what sense isn't it?

A. Well, just like I said early in the morning I can never prove—like it says there, "Top Fraction," and I said "a Fraction meeting". Well, you see, a Top Fraction meeting and a Fraction meeting in the Party sense of the word is two different animals.

Q. Did they show you this statement and did you read it over before you signed it?

A. Yes, I read it over and signed it; correct.

[1138]

Q. Did you make corrections as you went along?

A. Yes, I did.

Q. How many corrections did you make on the first page?

A. Well, I will count them—like "bootlegging" here.

Q. You struck that out?

A. Yes.

(Testimony of Maurice J. Cannalunga.)

Q. You made that correction as to "bootlegging"?

A. Yes. Then I added this on, "The boot and shoe company," and down here (indicating) there is some misspelling.

Q. You made that correction? A. Yes.

Q. So in all you made three corrections on the first page? A. Yes.

Q. In your own handwriting? A. Yes.

Q. And on the second page how many corrections did you make? A. Two.

Q. And on the third page how many corrections did you make? A. Three.

Q. And on the fourth page how many corrections did you make? A. Seven.

Q. Seven corrections? [1139] A. Yes.

Q. And on the fifth page how many did you make? A. Two.

Q. Three, isn't it?

A. Three corrections.

Q. And on the fifth page?

A.

Q. And on the sixth page there are no corrections at all, is that correct? A. Yes.

Q. You made another statement to the FBI agents, did you not, the following day?

A. Yes.

(The statement referred to was passed to defense counsel.)

Mr. Del Guercio: I didn't give the reason for

(Testimony of Maurice J. Cannalonga.)

putting these in here because I didn't think it was necessary.

Presiding Inspector: It isn't. We will hear that when the case is finally presented.

By Mr. Del Guercio:

Q: You know how to read, don't you?

A: Yes.

Q: You read English, don't you? A: Yes.

Q: How far in school did you go?

A: One year of—let me see—one year of High.

Q: One year of High? [1140]

A: Not quite; just part of it.

Q: Where, in the east? A: Yes, sir.

Q: I will show you a statement here, consisting of three pages, dated Seattle, Washington, June 9, 1940, and ask if you made this statement, and if you signed it and initialed it on each page.

A: (Examining statement): Yes.

Q: Did the FBI agents ask you anything else other than what was contained in this statement the second day you appeared before them?

A: No.

Q: You are sure about that?

A: I believe so.

Q: What is that? A: I believe so.

Mr. Grossman: May we have the last three or four questions and answers read, please?

Presiding Inspector: Yes.

(That portion of the record referred to was read by the reporter as above recorded.)

(Testimony of Maurice J. Cannalunga.)

By Mr. Del Guercio:

Q. You mean they didn't ask you anything but what is contained in this statement the second day?

A. (No answer.)

Q. Let me show you what the statement is before you [1141] answer, to refresh your memory.

A. (Examining statement.)

Q. Have you read it? A. Yes.

Q. Is that a true statement of what you made that day? A. Yes; it pretty well covers it.

Q. Did they ask you anything else that day other than what is contained in this statement?

A. Well, I don't recall that.

Q. Did they ask you anything about the meeting at the Gowman Hotel at which Harry Bridges was present? A. No, I don't think so.

Q. Did they ask you anything about the meeting in San Francisco at which Harry Bridges was present? A. No, I don't believe so.

Mr. Del Guercio: I offer this in evidence, if your Honor please. I don't think it is necessary to read it.

Presiding Inspector: It may be received without objection.

(The statement referred to was received in evidence and marked Government's Exhibit No. 209.)

By Mr. Del Guercio:

Q. You made a third statement to the FBI agents, didn't you? A. Yes.

(Testimony of Maurice J. Cannalunga.)

Q. Is this it? [1142]

A. (Examining statement): Yes.

Q. Is that all in your own handwriting?

A. No, it is not.

Q. Did you sign it? A. I did.

Q. Who wrote this?

A. This guy here (indicating).

Q. Pointing to the name "James A. Robey,"
Special Agent for the Federal Bureau of Investigation.

Did you read it over before you signed it?

A. Yes.

Q. Are the matters contained therein true?

A. Yes, I believe so.

Mr. Grossman: I wonder if we could have the last four or five questions and answers read, and I wonder if counsel could step back from in front of the witness. The witness is just talking to him.

Presiding Inspector: Certainly, you may have the questions and answers read.

(That portion of the record referred to was read by the reporter as above recorded.)

A. Yes.

By Mr. Del Guercio:

Q. "Yes" to what, it is true?

A. There was a question you asked me, he read, and that was my answer. [1143]

Q. All the matters contained in this statement are true? A. I believe so; yes.

(Testimony of Maurice J. Cannalunga.)

Q. You believe so—do you know they aren't true?

Presiding Inspector: He said "Yes".

Mr. Del Guercio: This is a short one, if your Honor please, and I would like to read it.

Presiding Inspector: Very well.

Mr. Del Guercio: (Reading):

"I, Maurice Joseph Cannalunga, make the following statement to James A. Robey, who has identified himself as a Special Agent of the Federal Bureau of Investigation. I make this statement freely and voluntarily and no promises of reward or threats have been made to me.

"In regard to the statement furnished by me to Special Agents A. Diokstein and John L. Madala on October 8, 1940 regarding a top fraction meeting of the Communist Party held at the Gowman Hotel, Seattle, Wash. sometime during the month of March, 1937, I now definitely recall that this meeting was not held in March but was held sometime during the month of May, 1937, while the I.L.A. convention was being held in Seattle. The reason I definitely recall this meeting was held in May is because of the discussion which took place, of changing from the A. F. of L. and going over to the C. I. O. Also organizational work in the Gulf to be carried on by the [1144] Longshoremen and Warehousemen's Union.

"In regard to Eugene Dietrich being present at the top fraction meeting held at the Gowman Hotel

(Testimony of Maurice J. Cannalunga.)

in May, 1937, to the best of my recollection he was there but it is entirely possible that he was not present because of the lapse of time between then and now, it is somewhat hazy in my memory as to him, due to the great number of meetings I attended at the time. However, I am positive that the others mentioned in my previous statement were present, as well as Harry Bridges.

"I have read the above statement consisting of two pages and have subscribed my name to same certifying that the information contained therein is true and correct."

I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received without objection.

(The document referred to was received in evidence and marked Government's Exhibit No. 210.)

By Mr. Del Guercio:

Q. This indicates that at the first meeting with the FBI men you told them that the meeting at the Gowman Hotel in Seattle, Washington, was some time in the month of March, is that right?

A. I believe so.

Q. March 1937? A. Yes. [1145]

Q. And in this statement here you recollected that it wasn't in March, but it was in May of 1937, is that right? A. Yes.

Q. Did anybody put the date "March, 1937" in

(Testimony of Maurice J. Cannalunga.)

your mouth at the first meeting you had with the FBI men? A. No.

Q. Who gave the date of March 1937?

A. I believe I did.

Q. You did? A. Yes.

Q. Did the FBI men say that there was a meeting at the Gowman Hotel in March 1937 at the first meeting? A. No, I don't believe they did.

Q. You told them that first?

A. I believe so.

Q. And you didn't get any impression, did you, that they told you the date was March 1937?

A. No.

Q. Now, isn't it a fact that you were the first one to mention the Gowman Hotel at any time?

A. No; they mentioned it.

Q. What?

A. I believe they mentioned it first.

Q. They mentioned it first? A. Yes.

Q. Who suggested—why did you change the date to May [1146] 1937 at the second meeting with the FBI men?

A. Because there was a mistake in the month.

Q. Who caught the mistake, you or the FBI men? A. I don't recall now.

Q. Did the FBI men say you must have made a mistake, that it was in May instead of March, or did you volunteer that?

A. Will you ask me that question again?

Q. In the first statement you said that this meeting at the Gowman Hotel was in March 1937.

(Testimony of Maurice J. Cannalunga.)

A. I believe I did.

Q. And in the second statement you said it wasn't in March 1937, but it was in May 1937.

A. Yes.

Q. Did anybody suggest to you that you should change the date from March to May 1937?

A. Well, I was called up and they asked me to make that statement.

Q. Did anybody ask you to state that the correct date was May 1937, or words to that effect, or did you remember it yourself?

A. Oh, they called me up and asked me if I had made a mistake in the month, and I told them I didn't think I had, and then they said to think, and finally it was May, after we talked a while.

Q. Who suggested that it was May, if anybody suggested it? [1147]

A. Nobody suggested it. I recalled it myself.

Q. You recalled it yourself? A. Yes.

Q. The FBI men didn't say it was in May, did they? A. No.

Q. You are sure about that? A. Yes.

Q. Positive? A. Positive.

Q. Now, Mr. Cannalunga, you remember talking to me in the Elks Club, don't you, last week some time? A. Yes.

Q. Did you tell me that you were afraid that Harry Bridges and the Communist Party would have a goon squad after you if you testified in this hearing? A. No.

Q. You don't remember telling me that?

(Testimony of Maurice J. Cannalunga.)

A. No.

Q. Do you remember telling me that was the reason why you didn't want to testify here?

A. No; I don't recall it.

Q. Who else was present besides myself when I was talking to you?

A. Oh, there were couple of others.

Q. Do you see them here? A. Yes. [1148]

Q. Who are they?

A. One is the man there (indicating) with the blue suit on.

Q. Mr. Weeks? A. Yes.

Q. Anyone else—do you see the other one in the room?

A. I don't see him; no, he is not in here.

Q. Do you remember my telling you that nobody would beat you up, that we would give you all the protection you needed?

A. Yes, you made a statement to that effect.

Q. When did I make that statement?

A. Oh, up at the Elks Club.

Q. Why did I make the statement; what occurred just before that? When did I make the statement that nobody would beat you up, and that we would give you every protection you needed?

A. Oh, it was just—I don't recall—it was just a general discussion on the whole set-up, as far as I remember, in regards to the way things worked out on the waterfront, and so on and so forth; just a general discussion. That is all it was.

(Testimony of Maurice J. Cannalunga.)

Q. And can you recall now whether or not you did tell me you were afraid you would be beaten up?

A. No, I never said I was afraid of being beaten up. If I am not mistaken, the statement I made to you was that I thought [1149] that after this was all over for quite a while, fellows in sympathy with Bridges, there would be personal beefs amongst myself and a lot of fellows, but just personal matters as to their attitude. There was no mention about beef squads or goons, or what-have-you, as far as I can remember.

Mr. Del Guercio: That is all. [1150]

Presiding Inspector: Do you want to ask anything further, Mr. Grossman?

Mr. Grossman: Oh, yes. Shall we adjourn now for our recess?

Presiding Inspector: Would you like to?

Mr. Grossman: Might as well.

Presiding Inspector: Very well.

(Whereupon a short recess was taken.)

Mr. Grossman: Mr. Gladstein is going to continue in place of me, your Honor.

Presiding Inspector: Very well.

Recross Examination

By Mr. Gladstein:

Q. Mr. Cannalunga, at the time that the first statement was taken from you on October 8, 1940; I think you said that there were two agents of the FBI there, is that correct?

A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. Was there a stenographer present?

A. No.

Q. Did one of the agents take notes while you were talking? A. Yes, sir.

Q. Could you see whether those notes were in shorthand? A. I never noticed.

Mr. Del Guercio: If the Court please, may I interrupt [1151] here? Are we going to allow two cross examinations?

Presiding Inspector: We don't usually, but they asked permission. I don't know that you heard it, but Mr. Gladstein asked permission.

Mr. Del Guercio: And the Court granted it?

Presiding Inspector: That they might continue. Of course, that isn't the usual way, but you may go ahead, Mr. Gladstein.

Mr. Gladstein: What was the last question and answer?

(The last question and answer were read by the reporter.)

By Mr. Gladstein:

Q. Do you remember Mr. Dickstein and Mr. Madala, the two agents?

A. What they looked like, you mean?

Q. Yes. A. Yes, sir.

Q. Do you remember which one was taking the notes? A. I think Madala.

Q. Did you notice what sort of notes he was taking?

A. I believe he had one of those yellow pads.

(Testimony of Maurice J. Cannalonga.)

Q. How long did it take for this discussion to take place during which the notes were made?

A. Well, from their office—the first time I met them I told them that—see, I just came out of the hospital. I had a hip out of joint and I was taking treatments from a doctor. [1153]

Q. Were you in pain at that time?

A. Yes, he was giving me shots and treatments and so I asked them if we couldn't find a better place to go than in that office; those chairs, I couldn't sit. If I sat down any length of time, you know, on a hard seat—so he suggested we go up to his hotel room.

Q. Did you do that?

A. Yes, sir.

Q. What hotel was it?

A. I believe it was the Roosevelt in Seattle.

Q. And how long were you in the hotel room?

A. Well, we went down and had dinner and went back up again and I think I had an appointment with the doctor at three that afternoon, at three or four o'clock, three o'clock, I believe, the first day I had to go up to the doctor, Dr. Buckner in Seattle.

Q. Well, what time of the day was it when you first saw these FBI agents that day?

A. In the morning.

Q. About what time?

A. Oh, about ten o'clock.

Q. Did you go to the doctor at three o'clock?

A. Yes, sir.

Q. How long were you there?

(Testimony of Maurice J. Cannalonga.)

A. Oh, I was in there about from a half hour to three- [1154] quarters of an hour.

Q. Did they go with you? A. No.

Q. Did you have an appointment to come back and meet them again after you got through with the doctor? A. The next day.

Q. So you were with them from about ten o'clock in the morning until three in the afternoon?

A. I believe so.

Q. And you had lunch with them that day?

A. Yes, sir.

Q. You spent most of that time in the hotel?

A. Yes, sir.

Q. The reason was because you complained about the pain, is that right? A. Yes, sir.

Presiding Inspector: Do you still feel some pain in your hip?

The Witness: Yes, sir, once in a while.

Presiding Inspector: Would you feel better if you took this other chair?

The Witness: No, I am all right. I have killed most of the day; it comes back every so often.

Presiding Inspector: Very well.

The Witness has spoken of it to me before that he felt some discomfort at that time. [1155]

By Mr. Gladstein:

Q. Well, then, you say the next day you saw them, is that right? A. Yes, sir.

Q. Then, it was the second day on which a statement was prepared, is that right?

(Testimony of Maurice J. Cannalonga.)

A. No; the second day I signed the first statement and then the second statement was made that day.

Q. All right. Well, in other words, the very first day that you saw them, the day in which you spent part of the time in the hotel, the hotel room of one of the FBI agents, on that day no statement was actually signed? A. No.

Q. They just took a lot of notes, is that right?

A. I believe some of the discussion was held, I believe so.

Q. On the following day you met them they had a typewritten statement all prepared?

A. Yes, sir.

Q. That is the statement which you signed?

A. Yes, sir.

Q. Now, that statement which you signed, that first one, that contains the language of the FBI agents, not yourself, doesn't it?

A. Well—— [1156]

Q. Doesn't it? A. I presume so.

Q. Well, I will read you the first sentence.

“I, Maurice Joseph Cannalonga do hereby make the following signed statement to A. Dickstein and John L. Madala who have identified themselves to me as Special Agents of the Federal Bureau of Investigation, United States Department of Justice.”

That is the first sentence. You didn't tell that to them, did you? A. No.

Q. That is their own language, isn't it?

(Testimony of Maurice J. Cannalonga.)

A. Yes, sir.

Q: That was put in the statement by them, isn't that correct? A. Correct.

Mr. Del Guercio: If the Court please, that is obvious. I don't think he need question the witness on that.

Presiding Inspector: Yes, I think it is obvious too, but I will allow it.

By Mr. Gladstein:

Q. Now, the next sentence—

Presiding Inspector: (Interposing) Of course, I have in mind, Mr. Gladstein, that you are not trying this to a Jury; we all know a little about language. [1157]

Mr. Gladstein: I understand, your Honor, but, of course—

Presiding Inspector: Particularly, I think even the prefect knows a little something about the English language.

Mr. Gladstein: The purpose of this line of questioning—

Presiding Inspector: (Interposing) Oh, go ahead, I understand.

By Mr. Gladstein:

Q. Now, the next sentence, Mr. Cannalonga, reads as follows:

"No threats or promises have been made to me and I am making this statement entirely voluntary and of my own free will."

That was also their language, not yours, wasn't it?

(Testimony of Maurice J. Cannalonga.)

A. Well, that is standard, ain't it, on all statements?

Q. You didn't tell them to put that in?

A. No.

Q. They put that in and you saw it there?

A. Yes.

Q. Now, I want to read this paragraph to you, Mr. Cannalonga. Please listen carefully.

"I joined the Communist Party of the United States of America in Seattle, Washington in the middle of 1936. Although I was willing to be enrolled under my correct name the Party, nevertheless, had me enroll under the name of M. J. Cann. Walter J. Stack was the person who approached and interested me [1158] in joining the Party and he was the one who signed my application. I recall that this application was signed in one of the restaurants along the waterfront. I still have my membership book which will evidence my membership in the Party. One of Stack's main talking points in getting me to join the Communist Party was that Harry Bridges was also a member of the Party. I remained in the Party until the middle of 1937 when I quit because I could see that the Communist Party was detrimental to honest trade union movements and that the Party was using the labor unions to further their aims. I also quit because I disagreed with many of their tactics and their attitude."

Now, does that paragraph contain your language or their language.

(Testimony of Maurice J. Cannalonga.)

In a sense my language.

Q. In a sense yours and in a sense theirs?

A. Yes.

Q. Is that correct? A. Correct.

Q. Could you pick out the parts of that paragraph which represent your language?

A. Well, I will have to read it.

Q. Well, I will hand it to you. It is a paragraph on top of page 2.

A. (Examining document).

Q. You can read it to yourself, if you want, Mr. [1159] Cannalonga, and then when you are ready simply testify as to what parts—

Mr. Del Guercio: (Interposing) Will counsel get off the witness chair there?

By Mr. Gladstein:

Q. (Continuing) —and then you can testify as to what parts of the paragraph are yours and what part represents the language of the FBI Agents. A. Well—

Presiding Inspector: (Interposing) Well, I will exclude that.

The Witness: That would be harder than hell.

Presiding Inspector: I will exclude that. It is impossible for a witness to do that. You can ask him any word, whether he used that word or not, but to let him read it and then say this and that.

The Witness: It would be pretty hard. After all—

Presiding Inspector: Just a moment. Let me talk here. I have some right here in the court.

(Testimony of Maurice J. Cannalunga.)

To have him pick out and you will ask him "Well, is that your language?" It won't advance anything.

Mr. Gladstein: Well, could I put it this way:

Q. Mr. Cannalunga, would it be correct to say that you would not be able to go through that paragraph and pick out those parts which represent what you told them and those parts which represent their language with exactness? [1160]

Presiding Inspector: He has not said that.

Mr. Gladstein: I am asking that question.

Presiding Inspector: No one can pick out whether an ordinary T or an A and an I or a W were the language of one person or the language of another.

Mr. Gladstein: I am not interested in particular words but in the statements that are contained in the paragraph.

Presiding Inspector: Isn't it all one sentence, or nearly so?

Mr. Gladstein: No, there are a number of sentences involved.

The Witness: I will give you a fair example.

Mr. Del Guercio: If your Honor please—

Presiding Inspector: Wait, let's see what the witness has to say. Let's get along; we have had this so many times and usually it makes no impression on jurors. Now, I don't know what impression it will make on me.

The Witness: You see, in a general sense that is the whole thing in a nutshell, see, only like myself,

(Testimony of Maurice J. Cannhalonga.)

when I made that statement I says, I joined the Party, you know, left the Communists out, because when you speak of the Party it is the Communist Party.

By Mr. Gladstein:

Q. All right. Am I to understand then——

A. (Interposing) I joined the Communist Party then. [1161]

Q. Wait a minute. Am I to understand that you told them——

Mr. Del Guercio: (Interposing) Why don't you permit the witness to go on?

The Witness: Yes, I joined the Party.

By Mr. Gladstein:

Q. Am I to understand, Mr. Cannalonga, that you said, "I joined the Party" and the way they put it in "I joined the Communist Party of the United States?"

A. No, I take that back; pardon me. I said I joined the Communist Party. I see; this is at the start.

Q. What did you say?

A. But after that, the Party, after the first statement. He says, "What Party?" I said, "The Communist Party." See I told him, "I joined the Party". He said, "What Party?" I said, "The Communist Party," see.

Q. All right, after that what happened?

A. Well, that is what I mean, and after that every time I referred to a "Party" he would ask

(Testimony of Maurice J. Cannalunga.)
me "What Party"? I would tell him "Communist Party."

Presiding Inspector: I think we may take it that this is in general the language of the person who prepared the statement and not in the literal words of the person, except that that person accepted them by having read it over, corrected it [1162] and signed it.

Now, what difference does it make? If I ask for information as to what he said, whether he said evidenced or proved, whether he said recall or remember or think, how do those things add anything?

Mr. Gladstein: Well, if I remember correctly, your Honor, Mr. Del Guercio himself raised the question of language during the redirect examination.

Presiding Inspector: Well, I am trying to raise it because I don't want to waste too much time on the immaterial points. I think there are a great many material points here.

Mr. Del Guercio: Maybe, I could hurry it along. We are willing to stipulate what the Court just said as to what the statement contains. I have no reason for saying that those were his words, or that I say that they were his words.

Presiding Inspector: No, I understand, Mr. Del Guercio.

The Witness: I thought that was understood.

By Mr. Gladstein:

Q. Now, Mr. Cannalunga, in this statement there is a reference to the meeting at the Gowman Hotel.

(Testimony of Maurice J. Cannalunga.)

"As I understood your testimony earlier today, when the FBI agents were talking to you what they said amounted to this: They said, 'Now, we know that you were present at the Gowman Hotel at such and such a meeting, that there were certain people there including Harry Bridges.' [1163]

That was my understanding of your testimony. Would that be correct? A. Let's see—yes.

Q. Now, did they also tell you that they knew that it was in March, 1937? A. No.

Q. Where did you get March, 1937?

A. Oh, I made a mistake in giving the months because at that time in March I had been in a different meeting and got them confused. I had been in a different meeting and got them confused in months.

Mr. Gladstein: May I have the answer?

(The answer referred to was read by the Reporter.)

By Mr. Gladstein:

Q. Well, at the time you gave the second statement to the FBI agents did you go up to them voluntarily or at their request?

A. They asked me to go up.

Q. All right. When they asked you to go up did they tell you what they wanted you for?

A. No.

Q. What?

A. No, not until I got up there.

Q. Well, when you got up there didn't they tell you what they wanted you for? [1164]

(Testimony of Maurice J. Cannalunga.)

A. Oh, yes.

Q. All right. Didn't they tell you "Now, we think you made a mistake on the date of that Gowman Hotel——"

Mr. Del Guercio: If the Court please——

Mr. Gladstein: I will withdraw that. I think inadvertently I said "second statement". I mean the third.

By Mr. Gladstein:

Q. The one in November, 1940, that was the third statement, wasn't it? A. Yes, sir.

Q. Now, on the occasion when they called you up to their office that time—do you remember that? Do you have that in mind?

A. Yes, I have a recollection of it.

Q. All right. At that time didn't they tell you they wanted you up there because they said you had made a mistake in your previous statement?

Mr. Del Guercio: If your Honor please, there is no such testimony in the record.

Presiding Inspector: He is asking him whether they did say that.

A. Well, I don't quite recollect. I know he talked to me for a while and wrote that out and asked me if that was correct and I glanced through it and I said "Yes." [1165]

By Mr. Gladstein:

Q. This third meeting, you didn't call them up for it, did you? A. No.

Q. They called you? A. Yes, sir.

(Testimony of Maurice J. Cannalunga.)

Q. Do you remember which person it was who called you? A. No, I don't remember.

Q. Do you know whether it was Mr. Roby or Mr. Dickstein? A. I don't recall.

Q. But it was one of them?

A. Yes; it was only a few minutes.

Q. And over the phone they said to you—what was it they said to you?

A. Well, "Come up to the office; we want to see you."

Q. Did they say why they had to see you?

A. No.

Q. Didn't they say they wanted to see you concerning a statement? A. No.

Q. Well, where did they tell you about the statement? When you got up there?

A. When I got up there, I think. You see, it is still hazy as the devil, you know, because it was only a couple of [1166] minutes (as I recall it, a few minutes, and I shipped—I was trying to get my gear collected to go in a rush and I didn't give it much—

Q. (Interposing) Well, how did this question of the third statement come up? Didn't they say to you something like this: "Now, you made a mistake on the question of the date on that Gowman Hotel meeting?" Didn't they say something like that to you?

A. Well, no, not in — they didn't say — they asked me to—oh, I don't remember the exact—it was words to the effect that I had better think back

(Testimony of Maurice J. Cannalunga.)

in regards to that Gowman Hotel meeting and that the dates was not right, or something like that..

Q. That is what they said to you?

A. On that line.

Q. And after that discussion took place, then, the statement was written up in which it was said that that meeting took place in May rather than in March, is that right?

A. Yes, yes.

Q. Is that right?

Presiding Inspector: He said "Yes."

A. Yes, sir.

Presiding Inspector: I didn't know if you could hear it.

By Mr. Gladstein:

Q. And on the question of Eugene Dietrick, did that [1167] question come up in the same way as the question of the date on which the Gowman Hotel meeting took place? Did they raise that question with you, too, to think it over as to whether you had made a mistake?

A. I don't recall. At the time, it is like I say, everything was in a turmoil.

Q. Well, you didn't go up there and talk to them about Dietrick on this occasion of the third statement, did you? You didn't mention Dietrick first, did you?

A. No.

Q. They mentioned it, didn't they?

A. I believe so.

Q. All right. Now, didn't they say to you "We want you to think about whether or not Dietrick was in there. Maybe you made a mistake", some-

(Testimony of Maurice J. Cannalonga.)

thing of that sort. Didn't they say something like that? A. Yes, something like that.

Q. As a result of your discussion regarding Dietrick, after they made this suggestion, then, you signed the third statement in which there is some different language concerning Dietrick, isn't that correct? A. Correct.

Q. Now, you said a moment ago, answering me, that you were in a turmoil. What did you mean?

A. Well, you know when a guy ships he—anybody that [1168] went to sea knows—after being on a beach, and I was still taking doctor's treatments, and I wanted to get out of town because he was not doing me any good.

Q. That was on the day of the third statement?

A. That was the fifth, wasn't it?

Q. November 5th.

A. Yes, that is the day I shipped.

Q. You were due to ship out?

A. I already made a job; I shipped as an electrician on the Clevdon.

Q. Were you in a hurry to ship out, get on the ship?

A. Yes, sure. Who wouldn't be after being on the beach a couple of months? [1169]

Q. You were also slightly in pain, is that right?

A. Yes; still under a doctor's care.

Q. While you were with the FBI agents on November 5, 1940, were you nervous in any way?

A. Well, I don't get what you mean by "nervous".

(Testimony of Maurice J. Cannalonga.)

Q. You know what it means, don't you, to be nervous? A. No, I don't.

Q. All right. Now, in your third statement, the one on November 5, 1940—by the way, did you read it very carefully before you signed it?

A. Well, what do you mean, carefully?

Q. Well, did you read the statement carefully so that you felt sure it was correct or not?

A. Well, I read the statement.

Q. Were you satisfied with it?

A. I believe so.

Q. In that you make this statement, or this statement is made and you subsequently signed it:

"In regard to the statement furnished by me to Special Agents A. Dickstein and John L. Madala on October 8, 1940 regarding a top fraction meeting of the Communist Party held at the Gowman Hotel, Seattle, Washington, some time during the month of March, 1937, I now definitely recall that this meeting was not held in March, but was held some time during the month of May, 1937, while the I.L.A. convention was being held in [1170] Seattle. The reason I definitely recall this meeting was held in May is because of the discussion which took place of changing from the A. F. of L. and going over to the C.I.O."

Was that the reason in your own mind that made you feel that you had made a mistake on the date as between March and May?

A. Yes.

Q. That was the reason?

A. I believe so.

Q. Well, now, in the first statement you were

(Testimony of Maurice J. Cannalunga.)

referring to the same meeting, which you said then was in March, 1937, and you said:

"The purpose of this meeting was to discuss the coastwise policy of shifting from the A. F. of L. to the C.I.O."

That was the same subject, wasn't it?

A. Yes.

Q. How does it happen that you say that the question of shifting from A. F. of L. to the C.I.O. helped you to decide whether it was in March or in May when you give the same reason in both these statements?

Presiding Inspector: Let me see these statements, please.

(The statements referred to were passed to the Presiding Inspector.)

Mr. Gladstein: It may be that the question should be reframed. I don't know whether it is too long or not.

Well, I will withdraw the question and put it another way. [1171]

By Mr. Gladstein:

Q. At the time you made the first statement in October, 1940, Mr. Cannalunga—

Presiding Inspector: Your question didn't quite correctly state it.

Mr. Gladstein: I withdrew the question.

By Mr. Gladstein:

Q. At the time you made the first statement to the FBI agents—

(Testimony of Maurice J. Cannalonga.)

Presiding Inspector: I didn't mean, in the statement I made, there was any intention.

Mr. Gladstein: I understand.

By Mr. Gladstein:

Q. (Continuing) — you knew then, didn't you, that there had been a question in 1937 of shift in the Gowman Hotel, is that right? A. Yes.

A. Yes.

Q. You knew that, didn't you? A. Yes.

Q. And in your statement you said that that was the purpose, as a matter of fact, of the meeting in the Gowman Hotel, is that right? A. Yes.

Q. And did that fact, the fact that you were talking in that meeting at the Gowman Hotel about the A. F. of L. to CIO affiliation, is that what led you to fix the meeting at that [1172] time and place?

Mr. Del Guercio: Just a moment.

Mr. Gladstein: I will withdraw the question.

By Mr. Gladstein:

Q. At the time you gave the first statement to the FBI did you remember the Gowman Hotel meeting as a meeting where this question was discussed of changing from the A. F. of L. to the CIO?

A. Yes.

Q. Was that the outstanding thing you remembered about the meeting? A. Yes.

Q. Now, in your November 5th statement you also go on, where you are making the correction about the Gowman Hotel meeting, and you say:

"Also organizational work in the Gulf to be car-

(Testimony of Maurice J. Cannalonga.)

ried on by the Longshoremen and Warehousemen's Union."

Maybe, to make that clear to you, I had better go back and read again the sentence that goes just before it. Do you want me to do that?

A. I don't care.

Q. All right. In that sentence you say:

"The reason I definitely recall this meeting was held in May is because of the discussion which took place of changing from the A. F. of L. and going over to the C.I.O." [1173]

Then it goes on and says:

"Also organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union."

Now, didn't you know, when you made the statement on October 8, 1940, the first statement, about the organizational work in the Gulf, that it was carried on by the Longshoremen's and Warehousemen's Union? A. Yes.

Q. Didn't you have that in mind at the time?

A. No.

Q. What? A. I didn't get that question.

Q. Well, was that question of organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union, was that discussed at the Gowman Hotel meeting? A. Yes.

Q. It was? A. Yes.

Q. Didn't you know that on October 8, 1940?

Mr. Del Guercio: Just a minute. The witness doesn't know the date, October 8th. I suggest that

(Testimony of Maurice J. Cannalunga.)

counsel tell him it is the date of the first statement.

I don't think the witness knows that.

Presiding Inspector: I don't know. Have you the dates of these statements definitely in your mind? [1174]

The Witness: Yes, I have now.

Presiding Inspector: I just asked the witness—you may not have heard it—whether he had the dates of these statements definitely in mind.

Mr. Gladstein: Does he?

Presiding Inspector: He says now he has.

By Mr. Gladstein:

Q. The first one, so there will be no mistake, was dated October 8, 1940. A. Yes.

Q. The next one, not quite a month later, is dated November 5, 1940, the next one we are talking about, which is the third statement—I am only talking about the first and the third. A. Yes.

Q. Now, let me see if I have this correct. At the time that you gave the first statement in October 1940, you knew about the discussion at the Gowman Hotel of the change of affiliation from the A. F. of L. to the CIO on the part of the Longshorement, correct? A. Yes.

Q. And you also at that time knew about the organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union, correct? A. Correct.

Q. What happened between October 8 and November 5 on [1175] either one of those two things, that is, the question of affiliation change, or the

(Testimony of Maurice J. Cannalunga.)

question of work in the Gulf, that made you feel that you had made a mistake in your first statement when you put the Gowman Hotel meeting in March? Do you understand that?

A. No. I must be dense or something.

Mr. Gladstein: Read the question.

Mr. Del Guercio: Just a moment. If the Court please, I think, in fairness to the witness, he should be told that in his first statement on October 8th he did not state that the reason he believed the meeting was held in March was that some organizational work was going on in the Gulf. I think the witness is confused as to that.

Presiding Inspector: Counsel suggests that in the first statement there is no reason given as to why he thought it was in March. Is that correct?

Mr. Gladstein: There was discussion, but no statement that it is a reason..

Presiding Inspector: That is, a reason for the date?

Mr. Gladstein: Yes.

Presiding Inspector: Counsel suggests that you assumed that in your question, or he takes it that you assumed that was the reason it was given as March.

Mr. Gladstein: I did not want to do that.

Presiding Inspector: An objection was made to it on that [1176] ground. I simply call that to your attention.

By Mr. Gladstein:

Q. Let me put it this way: Referring to this

(Testimony of Maurice J. Cannalunga.)

part of your statement in November, the one that says, "Also organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union," that is one of the reasons you assigned, you gave, in your statement, for changing the month from March to May, do you remember that? A. Yes.

Q. Between October 8th and November 5th, 1940, who told you that organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union took place in May of 1937, rather than in March?

Presiding Inspector: If anyone.

A. No one.

By Mr. Gladstein:

Q. Well, what made you change your view—withdraw that. How do you know that organizational work was carried on in the Gulf in March of 1937? A. It wasn't.

Q. How did you know that it was carried on in May of 1937?

A. You mean organizational work was carried on?

Q. Yes, in the Gulf by the Longshoremen and Warehousemen's Union. How did you know it was carried on in May 1937? A. It wasn't. [1177]

Q. How do you know that it was discussed in that month?

A. Let me see—wasn't that just prior to the TLA convention in Seattle that year?

• (Testimony of Maurice J. Cannalunga.)

Mr. Gladstein: Read the question, please.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: Can you answer that?

By Mr. Gladstein:

Q. How did you know that?

Mr. Myron:— Wasn't there an answer to the question?

Presiding Inspector: There was no answer to the question. I think he was thinking aloud.

Mr. Gladstein: I think so.

Mr. Myron: I wonder if we couldn't have the answer read? I didn't hear it. I thought he made some answer but I didn't hear what it was.

By Mr. Gladstein:

Q. Let me put it this way: —

Mr. Myron: (Interposing) Just a minute. May we have the answer, whatever it was? I would like to find out what it was.

Presiding Inspector: Read the answer.

(The answer referred to was read by the reporter as above recorded.)

Mr. Gladstein: It was not an answer.

Presiding Inspector: I think he was thinking aloud. [1178]

By Mr. Gladstein:

Q. Let's get at it this way: —

Presiding Inspector: He doesn't state it definitely as his reason.

(Testimony of Maurice J. Cannalunga.)

By Mr. Gladstein:

Q. Isn't it correct that the FBI Agents told you that organizational work in the Gulf to be carried on by the Longshoremen and Warehousemen's Union was discussed in May of 1937—isn't that how you came to know it? A. I don't think so.

Q. How do you think you did come to know it?

A. Oh, by refreshing my memory.

Q. With what did you refresh your memory, do you recall? A. No, I don't.

Q. Do you remember any occasion for refreshing your memory on this matter except in the discussion that you had with the FBI agents in November 1940? A. I don't know.

Q. That is the only time, that is, when you were talking with them in November, 1940, that this question came up of refreshing your memory, isn't that right?

A. I wouldn't swear to it. After all, Christ, that was six or seven months ago.

Q. But in November, 1940, when you were talking to them, the FBI Agents, did you think of this question of organizational work in the Gulf, or did they think of it and express it? [1179]

Mr. Del Guercio: He already answered that question two or three times.

Presiding Inspector: I think he has, but I think I will let him answer it once more.

Mr. Gladstein: Read the question.

(The question referred to was read by the reporter as above recorded.)

(Testimony of Maurice J. Cannalunga.)

Mr. Gladstein: That is in the alternative. I will withdraw it and put it another way.

By Mr. Gladstein:

Q. Isn't it a fact that in this discussion in November, 1940, the FBI Agents brought up this question of organization work in the Gulf?

Presiding Inspector: Is it or isn't it a fact—if you can answer it?

The Witness: To be frank, my memory is too damn vague about it.

Presiding Inspector: You are not sure?

The Witness: I am not sure. If I say "Yes" or "No" I am just making—

Presiding Inspector: The witness says he is not sure.

By Mr. Gladstein:

Q. Is it possible they did, is that right?

A. I am not sure.

Q. Now, you said, I think you said this, that in the November 5, 1940 meeting with the FBI Agents they raised the [1180] question of Eugene Dietrich being present at these meetings, that you talked about in your first statement, is that correct?

Mr. Myron: Are you asking a question or stating that is in evidence?

By Mr. Gladstein:

Q. I am asking you, didn't they do that?

A. Yes; they raised the question in regard to Dietrich.

(Testimony of Maurice J. Cannalonga.)

Q. Do you remember how they raised it, and in what form they raised it, what they said?

A. No, I don't.

Q. Let me ask you whether they said this—I am simply trying to refresh your recollection—did they say something like this: "Cannalonga, you must be wrong about Dietrich having been at those meetings, because Dietrich is not a Communist." Did they say anything like that?

Mr. Del Guercio: Just a moment—

Presiding Inspector: I will allow that. It calls for your recollection as to whether or not they said that, if you can remember.

A. Let me see—no, they didn't put it in that sense of words.

By Mr. Gladstein:

Q. Do you remember what Dietrich said at any of these meetings? A. Who? [1181]

Mr. Gladstein: Read the question.

(The question referred to was read by the reporter as above recorded.)

A. Dietrich? No, I don't.

By Mr. Gladstein:

Q. Do you remember what any particular person said at any of those meetings?

A. No; not every word or phrase.

Q. When, in 1934, did you join the Marine Firemen's Union? A. In San Francisco.

Q. I said when?

A. Right at the start of the strike, 1934 strike.

(Testimony of Maurice J. Cannalonga.)

Q. After the start of the strike or before?

A. Right during the strike, at the start.

Q. You said right at the start. Does that mean a little after it began or a little before?

A. A little after it began.

Q. How long afterward?

A. The strike was called on the 30th of May, I believe; somewhere around that time, and I joined in June.

Mr. Del Guercio: Wasn't any limitation placed on this brief cross examination, or are we going into all kinds of matters?

Presiding Inspector: I think up to the present it has been rather devoted to these statements. [1182]

Mr. Gladstein: It has.

Mr. Del Guercio: But now counsel is going into other matters, for instance, the Marine Firemen's Union.

Mr. Gladstein: This is a matter that properly should have been taken up on cross examination, and not on recross, but was overlooked, and we would like to ask the Court's indulgence.

Presiding Inspector: Let us hear the next question.

By Mr. Gladstein:

Q. Do you remember what ship you were going out on?

A. Yes; President Pierce, San Pedro.

Presiding Inspector: I will allow a little latitude along this line. I think this is to fix dates, isn't it?

(Testimony of Maurice J. Cannalunga.)

Mr. Gladstein: Correct.

By Mr. Gladstein:

Q. You say, or I think you said you just got back from a trip? A. Now?

Q. Yes. A. Yes; I had to quit.

Q. When did you get into San Francisco, into port?

A. San Francisco—oh, it was on Thursday.

Q. Thursday of last week? A. Last week.

Q. What ship did you come in on?

A. The Clevdon.

Q. How long had you been on that ship? [1183]

A. Since November 5th.

Q. That is, November 5, 1940? A. Yes.

Presiding Inspector: Is that ship now in harbor?

The Witness: No. It is up in Portland.

Presiding Inspector: You signed off?

The Witness: Yes; I quit. I was electrician on it.

By Mr. Gladstein:

Q. Were you at the Marine Hospital when you were laid up with your hip? A. Now?

Q. No. When you had your hip difficulty?

A. I was yes. Then they didn't think anything was wrong with my hip. But then I went to a private doctor and he took an X-ray and found the hip had been out of joint and that, in turn, had caused

(Testimony of Maurice J. Cannalunga.)

sciatica, and it pinched the sciatic nerve, and I was losing some of the fluid around the joint.

Q. How long a period did you work doing Communist Party work, as you indicated before?

A. Until, oh, about June, 1937.

Q. All together how long would that be?

A. July 1937—wait a minute—about a year and some odd months.

Q. And that would begin right after you first became a Communist Party member?

A. Yes. [1184]

Q. And it continued throughout all the time that you were a Communist Party member?

Mr. Del Guercio: Are you going to permit him to go all over this again?

Presiding Inspector: I will allow this. It will be very brief, I think.

The Witness: What is the question again?

Mr. Gladstein: Read the question.

Presiding Inspector: Did you do Party work all the time you were a Party member? A. Yes.

By Mr. Gladstein:

Q. That is, Party work for which you were being paid \$6.00 a week? A. Oh no; no.

Q. I want the period of time when you were doing nothing but Party work and getting \$6.00 a week.

A. I don't remember. It was off and on. I would make a trip out to catch up my debts, pay the bills I owed, and then I would come ashore, and

(Testimony of Maurice J. Cannalonga.)

then I would make another trip, and so on, would come ashore and go into active party work again.

Q. During any of that time, or at any other time, have you ever been on relief or WPA?

A. No.

Presiding Inspector: He said he hadn't. [1185]

By Mr. Gladstein

Q. Do you remember Mr. Del Guercio was asking you questions a little while ago along this line, and that you gave testimony that you thought you might have some arguments with some people on the waterfront because of giving testimony here, do you remember that? A. Yes.

Q. Isn't it true, Mr. Cannalonga, that the reason you said that, and felt that—

A. (Interposing) Wait a minute. Don't get me wrong. You see, like I told him, there is no beef squad involved at all. Just like I said, it was just personal, because a lot of guys feel that I did the wrong thing, and so forth and so on, and it is, will be personal beefs.

Q. It is because you know that a lot of the men feel that Bridges has been for a long time persecuted by shipowners, isn't that correct?

A. Yes; correct.

Q. And that the first deportation hearing was a part of that whole thing, is that the way they feel?

Mr. Del Guercio: Just a moment.

Presiding Inspector: I don't think we can go into that. It doesn't make any difference what the people think about the proceedings.

(Testimony of Maurice J. Cannalunga.)

Mr. Gladstein: That was brought out by Mr. Del Guercio. [1186]

Mr. Del Guercio: No.

Presiding Inspector: Not along that line.

Mr. Gladstein: It was brought out on this basis: That Mr. Del Guercio tried to give a certain impression here in his questions, and the witness has answered that the reason he made such statements to Mr. Del Guercio was not that he felt any personal fear, but because he recognized a certain attitude among the workmen on the waterfront, and this attitude which was not clearly set forth in the record, is the one that I am trying to bring out, and that is an attitude about which I would like to have certain testimony.

Presiding Inspector: Very well. Answer the question.

The Witness: What is the question.

Mr. Gladstein: I will reframe it.

By Mr. Gladstein:

Q. Isn't it true that the reason you told that to Mr. Del Guercio was because you know that on the waterfront the men have felt, and do feel, that the attempt to deport Harry Bridges now, and at every previous time, has been an employer-inspired attempt?

Mr. Goodwin: I object to that.

Presiding Inspector: I will take it. Go ahead. You may answer the question.

By Mr. Gladstein:

Q. Is that what the men feel? [1187]

(Testimony of Maurice J. Cannalunga.)

A. You want the attitude of the men on the waterfront?

Presiding Inspector: Just a moment. You mean in general, or that there are people who feel that?

Mr. Gladstein: Union men.

Presiding Inspector: In general?

Mr. Gladstein: Generally.

Presiding Inspector: All right. Is that the general impression, he asked you?

A. The general impression on the waterfront is that he is being persecuted and the first trial—

Mr. Goodwin: (Interposing) I want to intervene to this extent. He is asking him about the efforts to deport Harry Bridges; he is asking him whether that originates with the shipowners on the waterfront. How can he know that? How is that proper cross examination? If they wish to put in a defense of that kind, which is not a defense, that is a part of their own case, is it not?

Presiding Inspector: He is trying to get an explanation of why he said that there were people who might attack him physically if he testified here, which was brought out by Mr. Del Guercio, and he is simply asking for an explanation of that statement. I think I will allow it.

Mr. Goodwin: How does this have anything to do—

Presiding Inspector: I don't know, but Mr. Del Guercio evidently thought it did because he asked him if he didn't feel [1188] that he was in danger, if he testified, of physical attack. Now, he didn't

(Testimony of Maurice J. Cannalunga.)

use that language—that is my explanation of it—but that was the basis of it.

Mr. Goodwin: But what has that to do with the question——

Presiding Inspector: I don't know.

Mr. Goodwin: (Continuing) ——of whether the people on the waterfront, the shipowners, inspired this proceeding?

Presiding Inspector: He is asking, as I understand it, why he answered that he was in danger physically of some personal attack. That is all there is about it.

Mr. Goodwin: How can that be connected with the motive for bringing the hearing?

Presiding Inspector: I don't know. It may. Let us see what the witness says.

Mr. Gladstein: Could we have the last question and answer read?

The Witness: Can I answer that now?

Presiding Inspector: Read the question and answer.

(The question and answer referred to were read by the reporter as above recorded.)

By Mr. Gladstein:

Q. And the feeling is that Bridges is being persecuted by the shipowners, isn't that right?

A. Yes.

Mr. Gladstein: That is all. [1189]

Presiding Inspector: Anything further?

Mr. Del Guercio: No.

I. F. Wixon

1909

(Testimony of Maurice J. Cannalunga.)

Presiding Inspector: You are excused.

(Witness excused.)

Presiding Inspector: We will adjourn until tomorrow morning at 10:00 o'clock.

(Whereupon, at 4:20 P. M., an adjournment was taken to Friday, April 18, 1941, at 10:00 A. M. [1190])

Court Room 276,
Federal Building,
San Francisco, California,

April 18, 1941.

Met, pursuant to adjournment, at 10:00 A. M.

[1191]

PROCEEDINGS

Presiding Inspector: Call your witness, Mr. Del Guercio.

Mr. Del Guercio: The witness is here, your Honor.

Presiding Inspector: Raise your right hand.

DANIEL B. BLACK

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio:

Q. What is your name?

(Testimony of Daniel B. Black.)

A. Daniel B. Black.

Q. And your occupation, Mr. Black?

A. Assistant Cashier in the Post Office.

Q. How long have you been so employed?

A. In the Post Office?

Q. Yes. A. 26 years.

Q. 26 years. Were you employed in the Post Office during 1934? A. Yes, sir.

Q. In what capacity?

A. Box Clerk; renting boxes.

Q. Renting boxes. A subpoena was issued to you to produce certain records of the Post Office Box Rentals. Did you do so? [1192]

A. I refuse to do so until I see the Judge.

(Passing book of regulations to the Presiding Inspector.)

Presiding Inspector: I will direct you to testify.

The Witness: All right. Yes, sir, I have the records here.

By Mr. Del Guercio:

Q. You have the records here? A. Yes.

Presiding Inspector: It may appear that the witness exhibited to me, as the Presiding Inspector, the regulation in respect to the witness refusing to testify. The regulation says, in substance, that he shall not testify unless directed to by the Court which, I assume, means the presiding magistrate here.

By Mr. Del Guercio:

Q. May I see the records?

(Testimony of Daniel B. Black.)

A. (Producing records.)

Q. Mr. Black, you have handed to me an application for a post office box dated February 6, 1934, submitted by one Harry Glickshon; character of business, sales of waterfront papers; business address, 118 Day Street, residence 118 Day Street; and showing that he was assigned box No. 1158. Did you take that application? A. Yes, sir.

Q. And was that box number assigned to Harry Glickshon as [1193] shown on that paper?

A. Immediately, as soon as he paid his money, that day.

Q. And for how long a period was that Post Office Box rented? A. Until June, 1936.

Q. June 30, 1936 it expired?

A. It was not renewed.

Q. It was not renewed and it was carried in that name throughout that entire period?

A. Yes, sir.

Mr. Del Guercio: I don't know what the regulations of the Post Office Department are relative to releasing these documents.

Presiding Inspector: It is a public document, I suppose.

Mr. Del Guercio: It is a public document. I don't believe it is necessary to enter it in the record unless counsel wants to see it, I will show it to him.

Mr. Gladstein: I would like to see it anyway whether you intend to introduce it or not.

(The document referred to was handed to Mr. Gladstein.)

(Testimony of Daniel B. Black.)

Mr. Gladstein: Was there another document besides this one?

Mr. Del Guercio: No.

Presiding Inspector: The practice in New York is to describe a public document definitely, not to mark it, but give it a number and to receive it in evidence. [1194]

Mr. Del Guercio: I believe I have described one of them, the application. It is headed "Application for Post Office Box", dated February 6, 1934, and it starts off with:

"The undersigned hereby applies for the use of a box in the Post Office and agrees to comply with the postal regulation and rules relative to the renting and use of Post Office boxes."

Presiding Inspector: Is that signed?

Mr. Del Guercio: That is signed by the applicant, Harry Glickshon, G-l-i-c-k-s-h-o-n, who gives his business as sales of waterfront papers, business address 118 Day Street, residence address 118 Day Street, and who gives as references Leon D. Klein, K-l-e-i-n, and after that appears some letters "OOL", residing at 1306 Fillmore Street, and Herman Mann, M-a-n-n, residing at 1147 Lyon, L-y-o-n Street, and on the bottom of this appears that he has been assigned box No. 1158, and then appears the stamped signature of William H. McCarthy, Acting Postmaster.

Presiding Inspector: Very well. Do you offer it?

Mr. Del Guercio: Well, I will offer it.

(Testimony of Daniel B. Black.)

Presiding Inspector: It may be received. It need not be marked but you may give it a number. If you consider it of enough importance you may have it photostated.

Mr. Del Guercio: I believe we will ask that we be permitted to photostat that.

Presiding Inspector: The Postmaster will allow you to do that. [1195]

(The document referred to was received in evidence and marked Government's Exhibit No. 211.)

Mr. Del Guercio: The next document I have is what appears to be a ledger sheet headed "Box Rent and Key Deposit Register," Serial No. T6133-6602, the number of keys to box 3, box No. 1158, date lock changed 4/1/33 to box No. 1159. Immediately below that appears this entry "March 31, 1934, Glickshon" G-l-i-c-k-s-h-o-n, Harry, box date rented, rented on 2/6/34, amount paid 1.80. Then in another column under the heading "Deposited" appears the date 2/6/34 and the amount 20 cents.

By Mr. Del Guercio:

Q. Now, Mr. Black, you say that this person Harry Glickshon rented that box until 1936. Wherein on this document does it appear that he rented that box continuously from 2/6/34 to 1936?

A. (Indicating) Here is the March quarter, June quarter, September quarter—

Q. (Interposing) Will you speak up?

1914

Harry Bridges vs.

(Testimony of Daniel B. Black.)

A. The boxes are rented by the quarter and the rents are payable quarterly. The rent of \$3.00 a full quarter was paid for the June quarter, September and December quarters '34, the full year of '35, and the quarters of March and June '36. That will be until June 30, '36 the box was held and it was rented on February 6, '34. The key was turned in on July 1, '36, the date after the quarter was up and the rent was due. [1196]

Mr. Del Guercio: I offer this document in evidence.

Presiding Inspector: The same procedure is to be followed. You have seen it, Mr. Gladstein?

Mr. Del Guercio: I will show it to him.

Presiding Inspector: It will be received in evidence and it may be given a number, but not marked.

(The document referred to was received in evidence as Government's Exhibit No. 212.)

Presiding Inspector: It may be photostated.

Mr. Del Guercio: You may cross examine.

Cross Examination

By Mr. Gladstein:

Q. Mr. Black, after the very first payment, that is, the payment when the box was first purchased, would it be possible to tell from the records, or from your memory, who made the subsequent payments?

A. No, sir.

Mr. Gladstein: That is all.

(Testimony of Daniel B. Black.)

Mr. Del Guercio: That is all, Mr. Black.

Presiding Inspector: Give the documents back to the witness. They will have to be kept in the possession of the Post Office Department here.

You are excused.

(Witness excused.)

Presiding Inspector: Call your next witness.

[1197]

Mr. Del Guercio: Take the stand.

Presiding Inspector: Raise your right hand.